File No. 275.I

Collection No. 6

1894.

Singapore Residency

P-105

Pros. Serial Nos. 88-125

Subject.

Amendments to the rules for the grant of licenses for the sale of Spirits, fermented liquors and intoxicating drugs.

Previous References.	Later References.

R. F.B.—3-1908.—2,000.

RESIDENT'S OFFICE.

Note Sheet.

File No. 275/04

88

Letter No. 2783. *dated* 17th Aug 08

from the Collector, Ct n. Sts

SUBJECT.

Revised Excise Rules.

Serials. 9 & 29.
F. 61/08. flags. T & P.

The liquor and toddy shops in the Ct n. Sts were put up for auction before the issue of the Resident's notification No 55* dy 11th July 1908., though it may be noted that in the respective notifications advertising the sale of the shops in question no reference is made to the Resident's notification No 526 dy 5th Feb 03, strictly speaking this not

* S. 83. F 275/04.

flag R.

should be considered. It
have been in operation before
it was cancelled formally by
the subsequent Notice No 55 of

Hyd
S. 83. F 275/04

11th July 1900

It will however be
noticed that rule IV cl ii of
the rules issued under the
Notification No 526 of 5th Feb 1903. Distinctly lays down
that the licensee shall be
bound by any additional
rules which may be prescribed
under the Excise Rules Law
in force etc. This provision
appears to have been overlooked
in the present reference.
If approved, attention may
be invited to it with the
remark that effect should

flag x.

Notes—*continued.*

be given to the revised rules issued under the Note no 55 of 11th July 1908 from the date of the Note

Sub²

NNm.
3.9.08

So far as known, the only alteration likely to affect to some extent the interests of licenseholders contained in the new Rules is that relating to the curtailment of the hours of sale from 9.30 to 9 p.m. In para 3 of his letter the Supt. of Excise says that there may be some conditions under the new Rules the enforcement of which would impose a hardship. What these are has not been stated. Before considering the matter further we may ask ourselves then any other (if so, what) conditions likely to cause

Rendering to the existing licensed area
of the rule relating to the new limit
is to only one objected to, special
permission may be issued for the current
year for keeping the shops open till 9.30 P.M.
& the revised rules applied thereunder
of there are still rules imposing any
such serious disability on licensees
then the matter will require further
consideration

D. Resolved. I agree with Exc. Supt
W/O and Collector that, licensees having
actually issued under the N Notification,
no change should be introduced until those
licenses lapse, i.e. at the end of the current
year.

Pym 4/9/18.

The publication of Not:
in GG of 1908. ipso facto
does effect the supervision
from that date of the
Not:n of 1903, and the

Notes—*continued.*:

5

Later can not legally
be treated as recognized
as having any force
or can be treated as
of above.

Sd F
5/5.

pw
7/9

Draft Rules
NMM
8-9-08

8/9/08

8c.89.

Issued No. 4765 dated 12th September '08.

R. P. B.—2-08.—2,000.

R. P. B —4-1907.—1,000.

RESIDENT'S OFFICE.

Note Sheet.

File No. 275 of 1894

Letter No. 3385 dated 9th October 1908.

D No. 90

from the Collector, C & M Station.

SUBJECT.

Operation of the revised Excise rules for the C & M Station

Hog M

Please see notes on fol. No. 88.

2. Licenses for liquor shops for the current official year having already been issued under the Resolution No. 526 of 5th Feb: 1903, the fixed annual fees prescribed therefor should, it is submitted, hold good until these licenses lapsed on 1st April 1909, notwithstanding the change made in the fees by the revised rules of 11th July 1908. It is for the convenience of the licensees that fees are recovered in two half yearly instalments, & the second ~~instant~~ instalment in respect of the current year's licenses which will be due by 1st December next cannot be foregone in consequence of the introduction of the revised rules. ~~It however appears from para 2 of the Collector's letter of 9th Oct. 1908~~

Hog A.

fol. 83. file 275/1894

Hog X

Hog R

fol. 90

~~[illegible]~~

3. As regards the change in the limit of closing ~~hours~~ Excise shops from 9.30 p.m. to 9 p.m, it is submitted that shopkeepers will have a real grievance should the change be brought into effect during the currency of their licences. This change can hardly be an "additional rule" within the scope of para 4(ii) of the Excise rules of 5th Feb. 1903. If the licensee holders be not agreeable to the immediate introduction of this change of hours of closing shops it should it be considered undesirable to defer the introduction of the new rules, special permission may perhaps be granted under rule 6(ii) of the revised rules for opening excise shops up to 9.30 p.m, as at present, until the expiry of the current licenses of those shops.

Flag X

4. The Collector has offered no remarks on para: 4 of the Excise Supts' letter of 3rd. October 1908. Objection may perhaps be legally taken by the holders of retail foreign liquor licenses to the immediate effect being given to the restriction made in the limit of the quantity of retail sale in a single transaction from

S. 90(a)

Notes—*continued.*

from two gallons to one gallon. This change may perhaps be kept in abeyance until 1st April 1909 if the holders of current licences are not willing to give effect to the change at once. They are not known likely to raise any objection to this modification which is

unnecessary

5. If the suggestion made in para. 3 of the Collector's letter for bringing the new rules into effect from 1st April 1909 be however accepted, an addendum may, if approved, be issued inserting the words "with effect from 1st April 1909" at the end of the preamble to the notification of the

July 9

11th July 1908.

A.J.H.

26/10/08

6. There seems to be no real necessity to defer the application of the revised rules as a whole, & it seems inexpedient to do so. The only provision in the new rules likely to cause serious hardship to the existing licenseholders is that relating to the curtailment of the hours of sale from 9.30 to 9 P.M., and if approved, special permission may be granted to licensed persons being kept

R P. B.—7-08.—1,000

given till 9.30 P.M. the remaining
portion of the current year.

22/10/09

Ret

7. Please see Clerk's letter & enclosure
I think we must make rules should come
into force on this 1st October
from 1/4 1909 & that they should be
communicated to the present licensees
before the licenses for 1909-1910
are endorsed or otherwise altered

TR
28
10 09

Action also necessary as in
letter as in
para 5 of
Office Note.
SF

Ret

6. The notes give the case
against withdrawing the new
Rules before 1/4/09.
What are the substantial points to be
gained by making the
change at once?

SF.

Ret

29/10

Notes—continued.

Fr 7 Feb

(1)

Q. The main points to be gained are as follows:—

(i) Bar licenses can be granted at once.

Rule 2 (10) of the Rules

So also Romocain licenses [Rule 2 (15)]

& licenses for the sale of said Romocain [Rule 2 (16)]. Romocain has been

declared to be an intoxicating drug

under the Excise Act, and the rules

regulating the premises are ~~enforced~~ said drugs

in the Regs. Rules of 11. July 1908. Of the

application of this Rule is postponed 6 months,

transaction in Romocain cannot be regulated during

(ii) the current year.

Power is given in the new Rules

to obtain a destroy liquor found unfit

for consumption - Rule 4 (VI.)

(iii) In accordance with the order of the

5. of 1. on the Excise Commissioners Report.

The new Rules forbid ~~(a)~~

(a) entertainments of any kind in licensed

premises - Rule 4 (X).

(b) the sale or transport of liquor / intoxicating drugs

by persons below the age of 16 years.

Rule 4 (XI).

from 15 attached

· 83 of Feb 275 / 1894

Hays.

Rules 9 & 11

of the Licensing Order

Feb. 24 / 1905 Hay 4

R P. B.—7-08.—1,000

10. The provisions referred to above are based on the orders of the S. of S. on the Engine Committee Report, & it is as well that they are brought into force as early as possible. Another point is that the old rules of 1903. are definitely mentioned in the preamble of the Restriction No 55. of 11. July 1908. as superseded by the revised Rules contained in that Order, and that it would be rather queer if, after the lapse of some 4 months, instructions were issued to revive the extinct rules & to postpone the operation of the existing rules to the next year. As pointed out in previous notes there seems really to be no need for any such action.

S.R.S.O. No 275 of 1894

14/11/08

Notes—*continued.*

I agree
[illegible]

[illegible] addendum
suggested in
para: 5 of this
note would
appear sufficient
[illegible]
8/11

Two drafts are submitted for approval—

HJ.
9/11/08

[illegible]
9/11/08

[illegible]
10/11/08

H P. B:—7-08.—1,000

Issued NO 6809 16.11.05
to NO 6135-6809 16.11.05

13

E. P. B.—2-1908.—2,000.

RESIDENT'S OFFICE.

Note Sheet.

File No. 275/1894

D 93

Letter No. 7047 Exc *dated* 12. December 1908
from the Govt of India, Finance Department.

SUBJECT.

Rules for the grant of licenses under the Excise Act in the Cantonments.

The amendments suggested in clause i & ii* of para 1 of the Finance Dept letter are merely verbal. As regards clause iii of that paragraph, clause 1 of ganja shop license may, if approved, be reconstructed as follows:-

"The privilege conferred extends to the retail sale of ganja, charas or preparations thereof, of any quantity not exceeding 5 tolas, & to the retail sale of bhang or preparations thereof, of any quantity not exceeding 1 seer."

2. The Govt of India say that the rules shall be altered at the first convenient opportunity & new copies of the revised rules supplied to them. When a necessity arises for amending the rules, the amendments above referred to may also be made. If approved, a copy of the Finance Dept letter may

* The amendment granting Camp 'Officers' is not merely verbal. The words "Camp Officers" may disappear

As altered
The 19/12/08

[illegible]

[illegible] Rent to the Collector, Co. Dn. Hatim in continuation of his Spl. Spl. letter No. 4015 of 31.12.68. R.85-

17/12/68

17/12/68

(1) Please see marginal

(2) Rs. 1 million issue of a currency notification is suggested. Rs. matter will then have to be discussed by TR 19/12

I agree.

20/12

Regd

Hqrs. notification is submitted for approval together with a draft letter to the Govt. of India, Finance Deptt.

21/12/68

21/12/68.

TR 21/12

18

E. P. B.—9-1908.—2,000.

RESIDENT'S OFFICE.

Note Sheet.

File No. 275 of 1894

P.97

Letter No. 370 *dated* 1st February 1909

from the Collector, Ganjam

SUBJECT.

Sale of liquor to Camp followers

Rule 6 (vi) (2) & Sl. 83

P.94

P.93

The rule as originally stood prohibited the sale of liquor to Camp followers when on duty, but in consequence of the amendment made in the rule at the instance of the Govt. of India, Finance Dept., liquor cannot be sold to Camp followers whether on duty or not. Under clause (1) of rule 6 (vi), sailors, soldiers, etc, are allowed to buy liquor in private shops at certain seasons, and it is not probable that it is the intention of the Govt. of India to withhold sale of liquor altogether to Camp followers.

2. It is not free from doubt whether the meaning given to the term "Camp followers" in para 4 of the Collector's letter is quite correct.

2. The view expressed in para 4 of the Collector's letter appears to be correct, and

a reference may if approved be made to the Finance Dept. on the subject, but hopes in due time the practice obtaining in the Madras Presidency may be ascertained.

(The Collector has offered no remarks on the proposal of the C.O, 14. Hospitals, to arrange for the supply of beer to their followers under the canteen system. If this be allowed, there is room to be a profit on the Excise revenue of the Station).

H.,
4/2/09

In their orders on the Excise Committee's report the G. of I. said that liquor should not be sold to "camp followers when on duty". A provision to this effect was embodied in Rule 6.vi(2) of the rules in the Notification No 5 S. of 11. July 1908. Subsequently, at the instance of the Govt of Bombay, the words "when on duty" ~~before~~ after the expression

Para 10 Jud 4597 1905

Jud 3716 275 1894.

Jud 3716 275 1894

Margin for binding not to be written on.

Notes-continued.

1947
Fil 275
1884

Camp followers' Queen omitted. The result is that from 1st April next no liquor can be sold in licensed shops to Camp followers. It is not clear whether such substantial restriction was intended by Mr S. of S. Mr J. E C. Jubbs, Under Secretary to Mr S. of S. Queen Dept. may perhaps be asked to confirm officially about it, a copy of Sir Evans present letter being sent to Queen

Sir H.

Issue Draft D.O. Letter placed below.

Draft Letter issue from Bde after writing to Mr Jukes has returned satisfactory

R+R

Issue

Sir F

R P. B.—11-08.—1,000

Rec 8 Feb 98

Ref. W 10069/17. 2. 05

E. P. B.—2-1908.—2,000.

RESIDENT'S OFFICE.

Note Sheet.

File No. 275 of 1894

Letter No. 908 *dated* 8: march 1909
from the Collector, Coorg Stating Draft.

SUBJECT.

Revision of the Excise Rules of the Coorg State

The Supt of Excise seems now to consider an auctioneer's license necessary for the sale of foreign liquor, and his suggestion might be approved.

2. If draft notification prescribing the necessary license should have been sent by the Collector's office for the consideration of the Resident: a draft is however, prepared for approval & submitted with a draft letter to the Supt of Excise.

AJ.
17/3/09

Draft issued No 228 18.3.09
Letter issued No 17480 19.3.09

E. F.B.—3-1908.—2,000.

RESIDENT'S OFFICE.

Note Sheet.

File No. 275 of 1894

D.O Letter No. 1363 dated 6th April 1909
from the Collector, Ca in Station of Trincomalee.

P. 104.

SUBJECT.

Foreign liquor licenses, wholesale & retail,

In Section 22 (1) of the Excise Act, XII of 1896, it is prescribed that subject to the rules made by the Resident the Collector may grant licenses for the sale of foreign spirit & foreign fermented liquor wholesale or retail - - - - In paragraph 1 of the Resident's Notification dt. 5 of 11th July 1908, it is provided that the Collector may issue licenses - - - - for any of the following purposes:-

A.83. File 275 1894

(b) wholesale foreign liquor license
(7) Retail foreign liquor license

2. There appears then to be no doubt that these licenses can be granted at the Collector's discretion. If approved, the Collector may be informed accordingly. Draft D.O Letter is submitted for approval.

H.J. 8/4/'09

8/4/09

Issue 8/4/09

D Lor

Issued N 215 of 8/4/09

R. P. B.—3-1909.—2,000.

RESIDENT'S OFFICE.

Note Sheet.

File No. 275 of 1894

0.166

Letter No. 1831 *dated* 7th May 1909

from the Collector, Cox's Bazar

SUBJECT.

Amendments in the Excise rules of the Cox's Bazar -

The proposed amendments appear to be necessary & may be carried out - Two drafts are submitted for approval.

A.S. 14/5/09

Issue? The reasons for the proposed amendments are given in Coll's covering letter D/ 7/5 09.

TR 16/5/09

Rect

Mr 15/5

Mr 19/5

Approved No 40 & 3 20 28 28/5/09 i.c.s.

R. P. B.—3-1909.—2,000.

RESIDENT'S OFFICE.

Note Sheet.

File No. 275 of 1894

Letter No. —*dated*

from

SUBJECT.

Excise Rules.

No reply has yet been received from the Finance Deptt of the Govt of India with reference to this office D.O letter No. 100 6 dated the 17th February 1909. A reminder may perhaps issue on the 1st May 1909.

D. 98

H.S.
22/4/09 As proposed ? T 23/4/09

Put up

2. No action depends immediately on the reply. So wait till 1st June.

S L D
23/4

T 27/4/09

Hearing & Put up noted.

Submit for reminder on 26/6/09

P.T.O.

Margin for binding not to be written on.

3. Please see orders in pencil on letter, may a d.o reminder now issue in respect of Mr. [illegible]?

H.J.
2/6/09

Please [illegible]

Draft d.o letter is put for approval.

H.J.
3/6/09

Issued

E. P. B.—3-1909.—2,000.

RESIDENT'S OFFICE.

Note Sheet.

File No. 275 of 1894

D.O. Letter No. 2886 Exc dated 8th June 1909 from the Govt of India, Foreign Dept.

SUBJECT.

Sale of liquor to Camp followers

The Foreign Dept say that the term "Camp followers" in para: 10 (2) of their resolution No. 5086 Exc of the 15th August 1907 was intended to include all classes of followers (other than private servants) whether on or off duty, who have a right to be in Cantonments, and that this view anticipation No. 789 of the 22nd Dec. 1908 correctly expresses the wishes of the Govt of India in this respect. The fact that a station of Hyderabad is not a "Cantonment" but yet it may for the present purpose be regarded as a Cantonment.

2. The effect of the Foreign Department's decision is that ~~Camp followers~~ liquor & intoxicating drugs will not be sold to Camp followers as the rules now stand. If approved, the Collector may be informed

P.I. File 41 of 1905

St. 94. File 275/94

A.83. Para 6(vi)

informed, with reference to Sl. No-97, that
this office Notifn No. 780 of the 22nd Dec. 1909 & corrected
by Sl. 94 expresses the views of the Govt of India
that the term "Camp followers" in Finance Depts
Resolution No. 5086 Exc dated the 15th August
1907 was intended to include all classes
of followers (other than private servants)
whether on or off duty, who have a right to
be in Cantonments. On receipt of this
reply the Collector will of course communicate
with the Officer Commanding 14th Hussars
as to whether the Canteen can make arrange-
ments for the supply of beer to Camp followers
under the Canteen system.

Margin for binding not to be written on.

A.I. file 4594/'65

3. The suggestion contained in the last portion of Mr. Jukes's letter for the amendment of rule 6(VI) of the Excise rules may, if approved, be adopted.

Sl. 83

Three drafts are submitted for approval.

HJ.
15/6/'69

16/6/69

4. Sl 111 D/ 8/6/69 for Asst's information

R

17/6/69

Asst

Notes-*continued.*

Margin for binding not to be written on.

5. What is the policy at the bottom of the division of the Estate of India. Is it regarded as unobjectionable that Camp followers should visit at a Canteen but not at a licensed liquor shop. If so, why?

6. I think we have pressed the liquor contractor that no canteen shall be opened during the current year.

No 48 '09 Dept & Collector U.P. in 17-6-09

To annual return of No 48 1909 Jhansi Camp Off 19/6/09

7. Para 250 of the Excise Commissioners report defers to claims of persons to enforce the rule of hygiene adopted in the opinion of the Commissioner, be prohibited. Under the Canteen

R. P. B.—5-09.—1,000

Margin for binding not to be written on.

system. No supply of liquor can probably be better controlled. No allotment may be asked (vide) for if enforcement required in para 5 of the order.

Does not seem necessary. Cpl 8 not likely to be the subject of such order

Cpl 28 Feb 09

& as regards para 6, please see para 1 of our Mil. letter No 1833 of 23 March 1909 in which the Commander-in-Chief and Staff Canteen system would not be allowed in the Transvaal Units for the time European soldiers. That in no case would a beer tent be re-opened in those lines during the current year. The amendment suggested by the S.of.S. to the effect that the Units should not - Knowingly - give or sell liquor would, in practice, render the prohibition a dead letter for any case this prohibition does not necessarily lead to the establishment of Canteen system of supply to Camps of Instruction

S 7477/1
48
1909

D. 28/4/09

Notes–*continued.*

Margin for binding not to be written on.

With Resd please see paras 7 & 8 above, with reference to Ld Mus D/ 7/6 1909 letter of 1909-1910 it may be necessary, in view of ruling of G.P. with regard to "Camp Followers" & other Resd's views regarding supply of Followers at a Concession, — the question of Licenses no Change should be made this year

28/6 09

Resd

1 Jul 09

I do not think it is for us to raise the question.
Sh F.
30/6

Seen & dealt
C/ 1/7/09

Issued No: 4993. 7. 09
Issued No 4465–4496 8. 7. 09
Issued to Collector also Khasi No 4539 9. 7. 09

Mus
N 104-115
N 116

E. P. B.—7-1909.—2,000.

RESIDENT'S OFFICE.

Note Sheet.

File No. 275 of 1894

Sl 122

Letter No. 3399 *dated* 24th August 1909
from the Collector, Coimbatore

SUBJECT.

Amendments in "Bonding License from

Pumb. Sl. 122

The Collector proposes to further communicate with this office on receipt of Mr. Bennett's views which have been asked for. The proposed further communication may be awaited. It is not perhaps desirable for the Residency to ask Mr. Bennett at this stage to expedite his report. If the Collector does not hear from him within a reasonable time, it may then be considered whether ~~whether~~ what action the Residency should take in the matter. If we do not hear again from the Collector by 1st October 1909, the file will be submitted for orders.

A.J.
27/8/09

27/8/09

2. As proposed? The matter does not appear very urgent

25/8/09

Resdr

27/8

P.T.O

We have not heard from the Colonial Office in continuation of yours of the 24th May 1909. Probably he has not yet been furnished with Mr Bennett's views. If approved the Colonial Office might be asked D.O whether he has heard from Mr Bennett & if not, to send a reminder to them thro' the Residency.

H.
4/10/09

Draft sent

My 5/10/09

Ince

Govt of Sokoto 7.10.09

D.O letter No. 424 of 7th October 1909 from the Colonial Office re Native Ed in the Abbasid Dependencies. Kano, thro' the Residency.

If approved, the D.O may be sent in under endorsement as below.

forwarded. The Resident will be glad if the matter can be expedited"

H.
12/10/09

12/10/09

Govt of Sokoto 12-10-09

Margin for binding not to be written on.

S. 1122

81123

81124

Notes—*continued.*

Margin for binding not to be written on.

8/125 — D.O letter of 15th November 1909 from the Collector, Cutch Station to the Abbasi by Guard. Inspects this the Residency.

A.124 — Mr. Richards' previous d.o Communication was passed on to Mr. Bennett with the endorsement "The Resident will be glad if the matter can be expedited." This was on the 15th October 1909 - If approved the present d.o letter may be passed on to the Secretary to the Govt of Bdy, Abbasi & Separate Revenue, Deptt, Karachi, with an endorsement as below:-

"Invited. The Resident will be glad to be informed if the circumstances necessitate delay in the disposal of the Collector's reference in question

H.P.
18/11/'09

As proposed. L 16/11/09

Post

Issued No. 7475 dated the 22nd November 09

R. P. B.—7-09.—2,000.

Confl 75

R. P. B.—5-08.—400.

No. 2793 Rec. one — OFFICE OF THE COLLECTOR,
CIVIL AND MILITARY STATION, BANGALORE.

Dated 17th August 1908.

X3. 2/8/08

RESIDENT'S OFFICE,
BANGALORE.
Register No. 1+10.5
Date of Receipt 18-8-08
No. 2715/54

FROM

F. J. Richards ESQ., I. C. S.,
Offg: COLLECTOR,
CIVIL AND MILITARY STATION,
BANGALORE.

To

P. L. Moore Esquire; I. C. S.
Offg: FIRST ASSISTANT TO THE HONOURABLE THE RESIDENT
IN MYSORE.

SIR,

8C 85

A 83

In acknowledging receipt of the 100 copies of the New Excise Rules issued under the Resident's Notification No. 55 dated 11th July 1908, I have the honor to enquire whether it is intended to give effect to the rules from the date of the Notification Viz: 11th July 1908. Mr. Sherman, the Excise Superintendent has brought to my notice and I agree with him that for the reasons explained in his letter (Copy enclosed) the rules can only be given effect to from the beginning of the next official year.

I have the honor to be,
Sir,
Your most obedient Servant

F. J. Richards
Offg: Collector.

The file is under submission
This may await the file?
22/8/08.

22/8/08

Letter No: 612 dated the 5th August 1908 from the Superintendent of Excise to the Collector, Civil and Military Station, Bangalore.

I have the honor to enquire whether Notification No: 55 dated the 11th July 1908 which Supersedes Notification No: 526 dated 5th February 1903, is to be brought into force immediately. I ask this as Condition 6(ii) requires Shops and taverns to be closed at 9 pm.

2. The Shops were sold Subject to the Condition of Notification 526 which allows them to be kept open till 9.30 pm. and the licenses in force are in agreement therewith. I think to curtail the hours of sale during the currency of the lease would be of doubtful legality.

3. There also may be other conditions under the new Notification which are not in the old one, the enforcement of which would impose a hardship. I consider that in respect of licenses issued under

Notification

Notification 526 no change should be introduced till they lapse.

Copy

Asst. Collector.

Mod

R. P. B.—7-08.—2,000.

RESIDENT'S OFFICE.

Serial No.
File No.

[D R A F T .]—For approval.

From P. L. Moore, Esqr I.C.S

O/Ms. 1st Assistant to the Resident in Mysore.

To

No. 4765
12th Septr 1908

The Collector.
Dl & Sts of Bangalore

Sir.

With reference
to your letter No. 2793 dy
the 17th Aug 1908,
regarding the application
of the revised Excise
Rules issued under the
Resident's notification
No 55 dy the 11th July
1908, I am directed
to enquire whether
there are
~~These~~ any, and, if so,

S 87.

Gen 11/1908

(Continuation of Draft).

Whal Conditions ~~Ifeld~~
exist.
elsewhere the new ~~Notification~~
other than ~~that~~ Those prescribing
the hour limit in respect of rate of hours in licensed
~~of~~ shops which are
likely to ~~affect the~~ cause serious hardship to
~~interests of~~ existing
licenseholders.

I have &c.

pr. Colt

Offg. F. A. R.

NNm.
8-9-08.

8/9/08.

11/11/08

R. P. B.—6-1904—200

No. 3385 Excise.

OFFICE OF THE COLLECTOR,
CIVIL AND MILITARY STATION, BANGALORE.
Dated 9th October *1908.*

RESIDENT'S OFFICE,
BANGALORE.
Register No. 5082
Date of Receipt 12-10-08
File No. 1/15.01.94

FROM

15/10/08

F. J. Richards ESQ., I. C. S.,
Offg. COLLECTOR,
CIVIL AND MILITARY STATION,
BANGALORE.

To

J. B. Copeland Esquire, I.C.S.,
~~THE~~ FIRST ASSISTANT TO THE HONOURABLE THE RESIDENT
MYSORE.

SIR,

Sl. 89 With reference to your letter No 4765 dated the 12th September 1908, enquiring whether there are any conditions in the revised Excise Rules issued under the Resident's Notification No 55 dated 11th July 1908, which are likely to cause serious hardship to existing licensee-holders, besides those prescribing the hour limit in respect of Sale of liquors in licensed shops, I have the honor to forward, herewith, copy of a letter No 781 dated the 3rd instant from the Superintendent of Excise reporting

Hyg Q Sl. 83

on the Subject.

2. In paragraph 2 of his letter, Mr. Sherman states that the immediate application of the revised rules will free the licensees of the shops which are sold annually by auction of the license fees payable by them under the rules of 1903, and that such fees amount to Rs 7.090/- Flag X

This latter statement is not correct. The fees are payable in two instalments and the first instalment which fell due in June last having been already paid, the amount of the 2nd instalment due in December next is Rs 3.545/- only. The shops having been sold for the current year under the terms & conditions of the old rules, I do not think they can be affected by the new or revised rules. The same reason holds good in the case of the second class foreign liquor shops. Rule 3(xiii) of the rules of 1903 - Flag X

3. It is true that under rule 4 (iii) of the Rules of 1903, the license holders are bound by any new or additional rules that may be passed by Government, but Considering all the circumstances it Seems to me, but fair, that no change is introduced in the middle of a lease. I therefor agree with the Excise Superintendent, and endorse his opinion contained in paragraph 3 of his letter - and I accordingly Suggest for the Consideration of the Honorable the Resident the advisability of bringing the revised rules into force with effect from 1st April 1909.

I have the honor to be,

Sir,

Your most obedient Servant,

Offg. Collector.

Mad
9.10.08

90(a)

Letter no: 781 dated 3rd October 1908, from the Superintendent of Excise, Civil and Military Station Bangalore, to the Collector, Civil and Military Station, Bangalore.

With reference to your endorsement no: 3147, dated 14th September 1908, to the First Assistant Resident's letter no: 4765, dated 12th idem, I have the honour to draw attention to the more important points of difference between Resident's Notification no: 526 dated 5th February 1903 and Notification no: 53 dated 11th July 1908.

Pg X Sl. 89

Pg Q Sl. 83

2. License fees. - The immediate application of the latter notification to the extinction of the former will free arrack, toddy, ganja, beer and foreign liquor tavern licenses of the fees which are now being levied under Notification 526. The

Rule 2 of the Rules of 1903 & 1908.

1. Arrack license fee	Rs: 180/-
2. Toddy - do -	" 25/-
3. Ganja - do -	" 10/-
4. Beer - do -	" 180/-
5. Foreign liquor tavern license fee	" 180/-

The loss in revenue will be Rs: 7,090/- if these fees are to be remitted. The fee for a second class foreign liquor shop was Rs: 50/- it will be raised to Rs: 200/- by rule 2(4) of Notification no: 53. In this case Government would gain Rs: 900/-, but it is hardly likely that the licensees will accept the change without protest seeing that no previous intimation had been given them.

licenses have issued under the old rules & a mockup of the fees was also been recommd. No change in the request can possibly be made now

3. Hours of Vend:— Notification 526 allowed shops for the retail sale of liquor and intoxicating drugs to be kept open between Sunrise and 9.30 P.M. and permitted an extension of the time free of charge. Notification 53 reduces the period to Sunrise and 9 P.M. and imposes fees on a sliding scale for an extension of the fixed hours. Persons who purchased the right of vend in auction in the belief that the privileges would be continued during the currency of their licenses will

Rule 6 (11) Flag X

Rule 6 (11) Flag X

will have reasonable ground for complaint if their rights are invaded.

4. The enforcement of that portion of condition 1 of the wholesale and retail foreign liquor licenses which fixes limit of strength for the various liquors will not, in my opinion, impose any hardship but the reduction in the quantity that may be sold in any single transaction under a retail license from 2 to 1 gallon coincident with a very substantial rise in the license fee will undoubtedly dislocate arrangements which the class of licensees who will be affected by the change may have entered into. Hotel Keepers will also, at a moment's notice be required to take out bar licenses, perhaps foreign liquor licenses also.

Terms 6 & 7 of Rules of 1908 - 7th Q

This is not to happen.

5. Other alterations introduced in Notification 53 are not of

a character to create discontent:

———— " ————

" Copy "

Offg: Collector.

Copd: Cy - Mdg 9/10

Compd: Cy - Mdg 9/10.

E. P. B —9-08 —2,000.

No. 68
16th November 08

A. 83

+
No. 6135 20th Nov. 08
Encl 100.
with no enclosures
Encl Nov 25th

RESIDENT'S OFFICE.

Serial No. 6
File No. 275
194

[DRAFT.]—For approval.

From

T. B. COPELAND, Esq., I. C. S.;

1st Assistant to the Resident in Mysore.

To

The Hon'ble the Resident in Mysore

Notification

The Resident is pleased to direct that the words "with effect from the 1st April 1909" shall be inserted at the end of the preamble to his notification No. 55 of the 11th June 1908.

By order
T. 10/11

First Asst to the Resident in Mysore

To The Publisher, Gazette of India, for publication in Part II of the Gazette.

No.

* Copy of the foregoing notification

(Continuation of Draft).

Notification is forwarded to the Collector, for instruction & Magistrate with reference to his letter No 33857 the 9th October 1908 0-90

The new Excise rules should be communicated to the present licensees before the licenses for 1909-1910 are launched or otherwise altered Vide para 7 of note

T 10/11/08

1st Nov Received

H.
9/11/08

Sl 91

THE HON'BLE THE RESIDENT IN MYSORE.

Notification.

No. 68, Dated Bangalore, the 16th November 1908.

The Resident is pleased to direct that the words "with effect from the 1st of April 1909" shall be inserted at the end of the preamble to his Notification No. 55, dated the 11th July 1908.

"By Order,"

T. COPELAND,
First Assistant Resident.

R. P. B.—11-08.—300.

E. P. B —9-08 —2,000.

RESIDENT'S OFFICE.

Serial No. 91
File No. 275
'94

[D R A F T .]—For approval.

From The Hon'ble Mr. S. M. Fraser, C.S.I.,
~~T. B. COPELAND, Esq., I. C. S.,~~
~~1st Assistant to the~~ Resident in Mysore.

To The Secretary to the Govt. of India,
Finance Dept.

Sir,

In continuation of my letter No. 4014 of the 31st July 1908, I have the honor to forward herewith 20 copies of this Residency notification No. 68 of the 16th Sept. 1908 giving an addendum to the revised Excise rules of the Cochin State published in Government notification No. 55 of the 11th July 1908.

I have, etc.,

S. M. Fraser
Resident

No. 6136 Exc 20
20th Nov. 08

A-84

to be filed in A-91

A-83

Exd 4/12/08

No.
9/11/'08

93

No. 7047-Exc.

GOVERNMENT OF INDIA.

FINANCE DEPARTMENT.

Calcutta, the 12 December *1908*.

RESIDENT'S OFFICE,
BANGALORE.
Register No. 6422
Date of Receipt 16-12-08.
File No. 2754

16/12/08

17/12/08

From

G. H. B. Jackson, Esquire, I.C.S.,
Under Secretary to the Govt. of India,

To

The Honourable the Resident in Mysore.

Sir,

With reference to your letters Nos.4014 and 6136, dated, respectively, the 31st July and the 20th November 1908, I am directed to convey the following remarks in regard to some of the rules published in your notification No.55, dated the 11th July 1908, for the grant of licenses for the sale of spirits, fermented liquors and intoxicating drugs in the Civil and Military Station of Bangalore :-

(i) Rule 6 VI (I) - The words "Sailors of the Royal Navy" should be substituted for the word "Sailors".

(ii) Rule 6 VI (2) - This should be recast as follows, the subsequent clauses being renumbered (4), (5), (6) and 7 :-

(2) Camp followers.

(3) Police and Excise Officers and Railway servants, when on duty.

C. R. R. No. 8.

(iii)

(iii) Ganja shop license (Form 3) - The limit of 5 tolas prescribed for the retail sale of bhang in clause 1 seems to conflict with the maximum limit of 1 seer laid down in rule 6 VIII b of the Notification. The latter is the limit of retail sale under section 3 (1) (n) of the Excise Act, 1896.

2. I am to request that the rules may be altered as suggested above at the first convenient opportunity and revised copies submitted to the Government of India.

I have the honour to be,

Sir,

Your most obedient servant,

12/12.

Under Secy. to the Govt. of India.

R. P. B —9-08 —2,000.

300 Copies

THE MYSORE RESIDENCY PRESS,
No. 681
Recd 22-12-08
Proofed
Supplied 23/12
BANGALORE.

Proof

No 78. dy 22-12-08.

Printed Copy below

RESIDENT'S OFFICE.

Serial No. 94
File No. 275
1894

[DRAFT.]—For approval.

From

T. B. COPELAND, Esq., I. C. S.,
1st Assistant to the Resident in Mysore.

~~To~~

The Hon'ble the Resident in Mysore

Notification

The Resident in Mysore is pleased to direct that make the following amendments in the rules framed under his Notification No. 55 Dated the 11th July 1908 for the grant of licenses for the sale of spirits, fermented liquors & intoxicating drugs in the Cantonment of Bangalore: —

A. 83

Appeared in page 33 of Part II of the India Gazette dated 9th January '09

In rule 6 (VI) (1), for the word Sailors substitute the words Sailors of the Royal Navy".

A. 93

~~Rule 6 (VI) (2)~~, the
For existing rule 6(VI)(2), substitute the following, the subsequent clauses being renumbered (4), (5), (6) and so respectively:

(2) Camp followers
(3) Police & Excise officers & Railway servants when on duty.

(Continuation of Draft).

For the existing words from 1 to from 3
(Cannabis Sativa Linnæus), substitute the following:-
~~the words~~ "1. The privilege conferred
extends to the retail sale of ganja,
charas or preparation thereof,
in any quantity not exceeding
5 litres, & to the retail sale
of bhang or preparation thereof,
in any quantity not exceeding
1 seer."

By order

To 21/12/68

Asst Assistant to the Resident
in Mysore.

To

The Publisher, Gazette of India,
for publication in Part II of the Gazette.

No. 7032 Leg.
Bg/29 December 1868.

Since

A copy of the foregoing with 100 spare copies
notification is forwarded to
the Collector, for information of Bangalore,
in continuation of this office endorsement
No. 6135 of the 20th November 1868. R.91

To 21/12/68

A. 21/12/68 21/12/68 Asst to Resident.

(Same as 94)

THE HON'BLE THE RESIDENT IN MYSORE.

Notification.

No. 78, dated Bangalore, the 22nd December 1908.

The Resident in Mysore is pleased to direct that the following amendments be made in the rules issued under his notifications No. 55, dated the 11th July 1908 and No. 68, dated the 16th November 1908, for the grant of licenses for the sale of spirits, fermented liquors and intoxicating drugs in the Civil and Military Station of Bangalore:— sl 83

In rule 6 (vi) (i), for the word 'sailors', substitute the words 'sailors of the Royal Navy'.

For the existing rule 6 (vi) (2), substitute the following, the subsequent clauses being renumbered (4), (5), (6) and (7) respectively:—

(2) Camp-followers

(3) Police and Excise officers and Railway servants, when on duty.

For the existing condition 1 of form 3 (Ganja shop license), substitute the following:—

'1. The privilege conferred extends to the retail sale of ganja, charas or preparation thereof, of any quantity not exceeding 5 tolas, and to the retail sale of bhang or preparation thereof, of any quantity not exceeding 1 seer'.

"By Order,"

H. D. Crosthwaite.

First Assistant Resident.

To—The Publisher, Gazette of India, for publication in Part II of the Gazette.

R. P. B.—12-08.—300.

E. P. B —9-08 —2,000.

RESIDENT'S OFFICE.

Serial No. 95
File No. 275
94

[DRAFT.]—For approval.

From

The Hon'ble Mr. S. M. Fraser, C.I.E.,
~~T. B. COPELAND, Esq., I. C. S.,~~

~~1st Assistant to the~~ Resident in Mysore.

To

The Secretary to the Govt. of India,
Finance Department

No. 7033 dated
9/12th December 1908.

Sir,

A. 93

With reference to Mr. Jackson's letter No. 7047 Exc dated the 12th December 1908, I have the honour to forward herewith to copies of this Residency Notification No. 78 of the 22nd Dec 1908, making certain amendments to the Excise rules of the Cantonment of Bangalore, published with Notification No. 55 of the 11th July 1908 as subsequently amended by Notification No. 68 of the 16th Nov. 1908.

will be filed in A. 83

A. 91

I have, etc.,

T. [illegible] 21/12/08
for Resident.

Rs. 21/12/08 [illegible] 21/12/08

RESIDENT'S OFFICE,
21/12
BANGALORE.
Register No. 6550
Date of Receipt 21-12-08

No. 1185 Fc

Finance Department,

Calcutta, the 16th December 1908.

96

Dear Sir,

I shall be very much obliged if you will kindly let this Dept have 30 spare copies each of your Notifications No. 55, of 11.7.08 & No. 68 of 16.11.08 publishing revised rules for the grant of licenses for the sale of spirits etc in the Civil & Military Station of Bangalore. They are required for purposes of record.

Yours truly
Registrar

To
The Superintendent
Office of the Resident
in Mysore
Bangalore

No. 6992 S—90
24-12-08.

Dear Sir,

As desired in your D.O letter No. 1185 Fc of the 16th December 1908, I beg to forward herewith 30 copies each of the undermentioned Notifications containing rules for the grant of licenses for the sale of spirits, etc, in the Civil Station of Bangalore.

Yours truly

To the Registrar
Finance Department of the Govt of India
Calcutta

No. 55 of 11th July 1908
- 68 of 16th Nov. 1908 &
-78 of 22nd Dec. 1908

No. 22/12/08

Urgent.

97

4/2/09

R. P. B.—5-08.—400.

No. 370

OFFICE OF THE COLLECTOR,
CIVIL AND MILITARY STATION, BANGALORE.

Dated 1st February 1909.

4/2/09 OFFICE FROM BANGALORE.
Rec'd ... No. 630.
Date of Receipt: 3-2-09
Diary No. 7594

P.L.Moore Esq., I. C. S.,
COLLECTOR,
CIVIL AND MILITARY STATION,
BANGALORE.

To T.B.Copeland Esquire I.C.S.
THE FIRST ASSISTANT TO THE HONOURABLE THE RESIDENT
IN MYSORE.

SIR,

Residents Notifn: No. 55 dy 11-7-08 } cl. 83
" No. 78 dy 22-12-08 } cl. 94

With reference to para 6, vi (2) of the ExciseRules and the ammendment threon, I have the honor to point out that under the new Notification sale of liquor etc is entirely prohibited to camp followers.

2. The Officer Commanding I4 th Hussars, in bringing this to my notice, has asked whether he can make arrangements to supply beer to these men under the canteen system.

3. The Excise Superintendent who was consulted on the subject contends that the expression"Camp followers"refers to followers accompanying a regiment on the march and that there is no objection to followers at other times resorting to a licensed shop in the station.

4. It appears to me that the expression"Camp followers"must mean "public followers" as defined in the A.R.I. Volume

Page 81

X, in which case the Notification should in my opinion be changed so as to admit of these followers being supplied

supplied with liquor at civil shops. I should be glad to have the orders of the Honorable the Resident.

I have the honor to be,

Sir,

Your most obedient servant,

Collector

E. P. B —9-08 —2,000.

RESIDENT'S OFFICE.

98

Serial No.
File No.

[D R A F T .]—For approval.

From

T. B. COPELAND, Esq., I. C. S.,
1st Assistant to the Resident in Mysore.

To

D. O.

Secretary to Government.

W. 10062
9/17-Feby-1909.

Will you please refer
SC 93 to your official letter No. 7047
Exc. dated the 12th Dec. 1908
conveying orders for the recasting
of Rule 6. VI. (2) of the Excise
Rules published with the
SC 93 Resident's Notn. No. 55,
dated the 11th July 1908. These
orders have been embodied
in the Resident's Notn. No.
Copy enclosed SC 94 78, dated the 22 Dec. 1908
which will come into force
on the 1st April 1909, with
the result that from that
date a licensee for the vend
of Spirits or fermented liquors

to be consumed on the premises, or for the use of intoxicating drugs, will be prohibited from selling or giving liquor or intoxicating drugs to Camp followers whether these latter are on duty or not.

2. As doubt has arisen as to the Scope of the term Camp followers' and as to whether the ~~recommendation~~ Recommendation made by the Govt of India in para: 10 of their Resolution No: 5086, Exc: dated the 15th August 1907 is not confined to Camp followers on duty, Mr Fraser will be glad to know whether his Note No: 78 dated the 22nd Dec: 1908 correctly expresses the wishes of the Govt of India in the matter

S 1776 4597/1915

matter of and whether the term 'Camp followers' is confined to the followers accompanying a Regiment on the march or is synonymous with the expression 'public followers' as defined in A. R. I Vol. X.

The 'camp followers' class in this large military station are accustomed to drink liquor, and a total prohibition is almost certain to be resented.

12-8-17

Govt. Lieut. Col. Lyle

G. E. C. Gukes Esqr. I.C.S.
Under Secy to the
Govt of India,
Finance dept

Govt 17/8/17

R. P. B —9-08 —2,000.

RESIDENT'S OFFICE.

Serial No. 99
File No.

[D R A F T .]—For approval.

From

T. B. COPELAND, Esq., I. C. S.,

1st Assistant to the Resident in Mysore.

To

D. C.

Mysore.

No. 1007 Secy
D/17th Feby 1909.

SL-97.

With reference to your ~~letter~~ official letter No. 370 dated the 1st Feby. 1909, I am desired to forward, herewith, ~~from~~ for your information, a copy of a D. O. letter No 1006 dated the 17th Feby 1909. to ~~the Court~~ of ~~London~~ Judges, Under Secy to Govt, Public, Finance Dept

Yours &c

TBC/2/9

P. L. Moore Esqr I. C. S.

Collector,

Chan. Station

Sen 15/2/09

7/2/09

R. P. B.—5-08.—400.

No. 468

OFFICE OF THE COLLECTOR,
CIVIL AND MILITARY STATION, BANGALORE.
Dated 6th February 1909.

FROM

P. L. Moore ESQ., I. C. S.,
COLLECTOR,
CIVIL AND MILITARY STATION,
BANGALORE.

REGISTRAR'S OFFICE,
BANGALORE
Regd No. 739
Date of Receipt 8-2-09
File No. 275/94

To

G. B. Copeland Esquire, I.C.S.
THE FIRST ASSISTANT TO THE HONOURABLE THE RESIDENT
IN MYSORE.

may be filed.
Please see D.N. 99.
H.
24/4/'09

SIR,

I have the honor to solicit a reference to my letter No. 370 of 1-2-09 regarding the question of supplying liquor to Camp followers and to request the favour of early orders on the subject to enable me to submit the draft Sal notifications for the ensuing official year.

I have the honor to be,

Sir,

your most obedient Servant

P. L. Moore

Collector.

Manjil has put up a/s for orders. Any caveat?

D.N. 99 The A.D.O is under issue to Mr Moore. This on this subject. This may await till the issue of the letter?

Mr

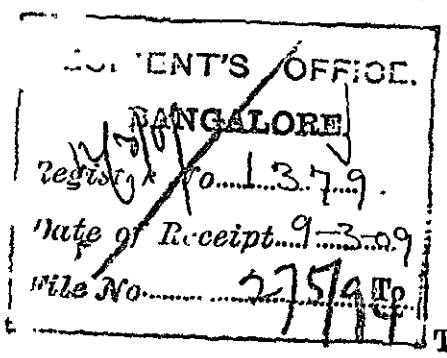
101

R. P. B.—5-08.—400.

No. 908, Enc: 2.

OFFICE OF THE COLLECTOR,
CIVIL AND MILITARY STATION, BANGALORE.
Dated 8th March 1909.

FROM



P.Hannyngton ESQ., ~~I. C. S.~~,
COLLECTOR,
CIVIL AND MILITARY STATION,
BANGALORE.

To

T.B.Copeland, Esquire, I.C.S.,
~~THE~~ FIRST ASSISTANT TO THE HONOURABLE THE RESIDENT
IN MYSORE.

SIR,

876

In continuation of this office letter No. 665 dated the 22nd February 1908 forwarding draft Notification embodying certain amendments in the rules issued in the Honourable the Resident's Notification No. 526 dated 5th February 1903 and with reference to your letter No. 4015 dated 31st July 1908 forwarding Notification ~~tion~~ No. 55 dated the 11th July 1908 issuing revised Excise --- rules, I have the honor to forward herewith copy of Mr.Sherman's letter No. 142 dated 20th February 1909 together with a draft auctioneer's license and to request that it may , with the approval of the Honourable the Resident, be added to Rule 2 of the Notification as No. 17.

2. The draft license is prepared on the lines of the Madras Form published in page 31 of the appendices to the Excise Manual with a few alterations to suit the circumstances of the Station.

I have the honor to be,
Sir,
Your most obedient servant,

Offg. Collector.

Letter No. 142 dated the 20th February 1909 from the Excise Superintendent of the Station to the Collector of the Civil and Military Station of Bangalore.

In continuation of this office No. 355 dated 22-4-08, I have the honor to inform you by oversight the insertion of "Auctioneer's license" was omitted in the draft Notification No. 55 dated 11th July 1908 and to request that the same may now be included as - No. 17 under rule 2 of the Notification.

2. It is requested that the addition may be made before 1st. April so as to come into force on that date.

" C O P Y "

Offg. Collector.

THE HON'BLE THE RESIDENT IN MYSORE.

—:o:—

Notification.

No. 22, Bangalore, dated the 18th March 1909.

The Resident in Mysore is pleased to direct that the following amendment be made in the rules issued with his Notification No. 55, dated the 11th July 1908, as subsequently amended by Notifications No. 68, dated the 16th November 1908 and No. 78, dated the 22nd December 1908, for the grant of licenses for the sale of spirits, fermented liquors and intoxicating drugs in the Civil and Military Station of Bangalore :—

Add the following to rule 2:—"(17) License for the sale of Foreign liquor by auctioneers—Rs. 5."

2. The annexed form of license (Auctioneer's license) will be added as form 17 of the forms appended to the rules referred to in the preceding paragraph.

"By Order,"

(Sd.) F. Copeland

First Assistant to the Resident in Mysore.

(Published in Pg 574 of Part II of Gazette of 27.3.09.)

To The Publisher, Gazette of India for publication in Part II of the Gazette

No. 1747 & 19 March 1909
Ent 100

R. P. B.—18-09.—800.

From the Secretary to the Chief Commissioner, Coorg.

A Copy of the foregoing is forwarded to the Chief Commissioner, Coorg for information and his letter No. 908 dy. the 5th March 1909.

(Sd.) F. Copeland
F. A. R.

FORM 17. FEE Rs. 5

LICENSE GRANTED TO AUCTIONEERS FOR THE SALE OF FOREIGN LIQUORS

I Collector of the Civil and Military Station of Bangalore, under the provisions of the Excise Act, 1896, (XII of 1896), as applied to the Civil and Military Station of Bangalore, hereby license you to sell Foreign liquor by auction at your premises in and at any private residences in the said Station at which you may hold auction sales during the official year ending with 31st March 19 , subject to the following conditions and stipulations to be observed by you the said *viz.* :—

1. The licensee shall be bound by the general conditions applicable to all excise licenses so far as they concern him and by the following conditions which are special to this license.

2. The privilege extends to the sale of Foreign liquor by auction in quantities not less than two imperial gallons of each kind of liquor sold at any one time, but this restriction does not apply to the sale of portions of trade consignments which are ullaged or otherwise unmerchantable or to the case of auction-sales of the property of private persons and estates. *Bona-fide* samples in quantities not exceeding one reputed quart of liquor about to be put up to auction may also be issued.

3. The consumption of liquor sold under this license on the premises, except that contained in *bona-fide* sample bottles opened at the time of auction for intending purchasers to taste, is prohibited.

Given under my hand and seal this
year of 190 , at Bangalore.

Collector, C. & M. Station, Bangalore.

R. P. B.—1-09.—1,000.

RESIDENT'S OFFICE.

Serial No. 183
File No. 7

[D R A F T.]—For approval. 194

From

The Hon'ble Mr. S. McFarlane, C.I.E.
~~T. B. COPELAND, Esq., I.C.S.,~~

~~1st Assistant to the~~ Resident in Mysore.

To

The Secretary to the Govt. of India,
Finance Department.

No. 17485-2s
D/15 March 1909.

Sir,

In continuation of my letter No. 7633 dated the 19th December 1908, I have the honour to forward herewith 20 copies of this Residency notification No. 224 dated the 18th March 1909 regarding certain amendments in the Excise rules of the Coorg station of Virajpet, published with notification No. 55 dated the 11th June 1908 as subsequently amended by notification No. 6857 dated the 16th Nov. 1908 and 22nd Dec. 1908 respectively.

I have, etc.,

No. 15/3/09 Resident.

1.95

Supplied in

.83

A. 91 & 94

Gen 17/3/09

104

RESIDENCY OFFICE
BANGALORE
Registered No. 1992
Date of Receipt 6-4-09
File No. 27534

No 1363 Exec. 1

Office of the Collector,
Civil and Military ~~Station, Bangalore,~~

6th April 1909.

Dear Copeland

Please refer to the Honourable the Resident's Notification No. 55 dated 11th July 1908 and let me know as early as possible whether at discretion I can refuse the grant of Foreign Liquor licenses wholesale and retail. I think it is undesirable to grant licenses to new men, whoever asks, without limit. Appended is a statement showing last year's licenses against this year's applications. I am issuing licenses to last year's licensees who have applied this year and shall act on new applications on receipt of a reply from you.

Yours sincerely
J Richards

To

T.B.Copeland, Esquire, I.C.S.,
First Assistant Resident.

Rec. 7/6

Wholesale and retail.

No	Name	Kind of license held last year.	Kind of license applied for this Year			Remarks.
			Wholesale only.	Retail only.	Both Wholesale and retail.	
1	The Bangalore Brewery Coy.	First class or Wholesale	Wholesale			
2	Messrs: Abraham & Co.	" do			Both Wholesale and retail.	
3	" Spencer & Co: Ltd:	do			Both Wholesale and retail	
4	B. Srivamulu Chetty.	do			do	
5	C.V. Payne and Chetty & Son	do			do	
6	A.N. Coopoosawmy Mudr.	do	Wholesale			
7	T. Ramiah Chetty.	do		Retail		
8	Messrs: Aldridge Salmon & Co.	do	Wholesale			
9	V. Singaravelu Chetty & Co.	do		Retail		
10	T.V. Kandasawmy Chetty & Bros:	do			Both Wholesale and retail.	
11	V. Kandasawmy Chetty & Co	do			do	
12	Messrs: J.A. Gow	do	Wholesale			Application still pending orders
13	G. Munisawmy & Co.	do		Retail		
14	Shrieves & Co.	2nd class or retail		do		
15	T.S. Nanjundiah Chetty	do		do		
16	V. Ramaswamy Naidu & Co.	do		do		
17	M. Chinna Sawmy Naidu	do		do		
18	V. Masilamoney Chetty	do		do		
19	M. Lakshmana Row.	do				
20	A. Ponnurangam Mudr.	New applicant	Wholesale.	~~Wholesale~~		
21	A. Patchaiperumal Chetty	do		Retail		
22	V.G. Koopiah Chetty.	do		do		

C & M. Station,
Bangalore,

R. P. B.—3-09.—1,000.

RESIDENT'S OFFICE.

Serial No. 105
File No. 275
94

[D R A F T .]—For approval.

From

T. B. COPELAND, Esq., I. C. S.,
1st Assistant to the Resident in Mysore.

~~To~~

To

No. 2187
8/8th April 1909.

Hon'ble Richards,

A.164

With reference to your
D.O letter No. 1363 dated the
6th April 1909, I am directed
to say that foreign liquor
licenses, wholesale & retail
can be granted in the
Cantonment of Bangalore
at your discretion. Please
see Section 22 (1) of the Excise
Act XII of 1896 as applied to
the Cantonment and para: 2
of the Resident's notification
A. 83 No. 55 of the 11th July 1908.

8/4/09

T. C. S.
8/4

A.S. 6/4/09

To J. Richards Esqr
Member, C'ment of Bangalore

106

9106 R. P. B.—5-08.—400.

No. 1831 Revenue

OFFICE OF THE COLLECTOR,
CIVIL AND MILITARY STATION, BANGALORE.

Dated 7th May 1909.

RESIDENT'S FROM
BANGALORE.
Register No. 2641
Date of Receipt 10-5-09
File No. 27 5 2 1

F.J.Richards Esq., I. C. S.,
COLLECTOR,
CIVIL AND MILITARY STATION,
BANGALORE.

To T.B.Copeland, Esquire, I.C.S.,
THE FIRST ASSISTANT TO THE HONOURABLE THE RESIDENT
IN MYSORE.

SIR,

82.161 in duplicate. In continuation of this office letter No. 908 dated 8th March 1909, I have the honor to forward herewith a draft embodying amendments to rule 3(i) and 1X of Resident's Notification No.55 dated 11th July 1908 and to request that it may with the approval of the Honourable the Resident be caused to be issued.

Page 139, para 4 in the minutes of special meeting & Mysore Gazette notification No. 9011 87 7-4-1909, Gandhi E.

2. The amendment proposed in rule 3(i) is in accordance ~~with~~ with the rules in force in the Madras Presidency and the Mysore State.

3. The amendment to Rule 3(1X) is proposed to prevent irresponsible persons and men of straw from bidding at the auction sales and then applying for a transfer of the shops. As a case of this kind occurred during the current year, I find that the proposed amendment is necessary.

I have the honor to be,
Sir,
Your most obedient servant,

F J Richards

Collector,

12/

D R A F T.

The Honourable the Resident in Mysore.

N O T I F I C A T I O N.

No. Bangalore dated May 1909.

The Resident in Mysore is pleased to direct that the following amendments be made in the rules issued with this Notification No.55 dated the 11th July 1908, as subsequently amended by Notifications No.68 dated the 16th November 1908, No.78 dated the 22nd December 1908 and No.22 dated the 18th March 1909 for the grant of licenses for the sale of spirits, fermented liquors and intoxicating drugs in the Civil and Military Station of Bangalore.

RULE 3(i) -- Omit the full stop at the end of the rule and add the words "who should produce a power of attorney in token thereof".

RULE 3(ix) -- In line 3 omit the words "which for any adequate reason may be withheld" and insert instead the words "which will only be given if the applicant is prepared to forfeit his deposit already made".

Collector.

THE HON'BLE THE RESIDENT IN MYSORE.

Notification.

No. 40, dated Bangalore, the 24th May 1909.

The Resident in Mysore is pleased to direct that the following amendments be made in the rules issued with his Notification No. 55, dated the 11th July 1908, as subsequently amended by Notifications No. 68, dated the 16th November 1908, No. 78, dated the 22nd December 1908 and No. 22, dated the 18th March 1909, for the grant of licenses for the sale of spirits, fermented liquors and intoxicating drugs in the Civil and Military Station of Bangalore :—

RULE 3 (i)—Omit the full stop at the end of the rule, and add the words "who should produce a power of attorney in token thereof".

RULE 3 (ix)—For the words "which for any adequate reason may be withheld", substitute the words "which will only be given if the applicant is prepared to forfeit his deposit already made"

"By Order,"

F. J. RICHARDS,
For First Assistant to the Resident.

K. 3207 2/28 Sec 4.

To

The Publisher, Gazette of India, for publication in Part II of the Gazette.

R. P. B.—5-09.—300.

158

THE HON'BLE THE RESIDENT IN MYSORE.

Notification.

No. 40, dated Bangalore, the 24th May 1909.

The Resident in Mysore is pleased, to direct that the following amendments be made in the rules issued with his Notification No. 55, dated the 11th July 1908, as subsequently amended by Notifications No. 68, dated the 16th November 1908, No. 78, dated the 22nd December 1908 and No. 22, dated the 18th March 1909, for the grant of licenses for the sale of spirits, fermented liquors and intoxicating drugs in the Civil and Military Station of Bangalore :—

RULE 3 (i)—Omit the full stop at the end of the rule, and add the words "who should produce a power of attorney in token thereof".

RULE 3 (ix)—For the words "which for any adequate reason may be withheld", substitute the words "which will only be given if the applicant is prepared to forfeit his deposit already made".

"By Order,"

(Sd.) F. J. Richards.

For First Assistant to the Resident.

To

The Publisher, Gazette of India, for publication in Part II of the Gazette.

R. P. B.—5-09.—300.

No 3202 D/28-5-09. Mysore Residency Office
Bangalore 28-5-09

with 100 c A Copy of the foregoing notification is forwarded to the Collector, Civil & Mily Stn, for information, with reference to his letter No 1831 dy the 7th inst.

for F. J. Richards
For F.A.R

R. P. B.—4-09.—1,000.

RESIDENT'S OFFICE.

Serial No. 165
File No. 275/94

[D R A F T .]—For approval.

From

The Hon'ble Mr. S. M. Fraser, C.S.I.,
~~T. R. COPELAND, Esq., I. C. S.,~~
~~1st Assistant to the~~ Resident in Mysore.

(Notification for Gazette)

No. 3203 Dated 20
9/28th January 1909.

P. 163

The Secretary to the Govt. of India,
Finance Department.

Sir,

In continuation of my letter No. 1748 dated the 19th March 1909, I have the honour to forward herewith 20 copies of the Residency Notification No. 40. of the 26th May 09 regarding certain amendments in the Excise rules of the Cantonment of Bangalore published with Notification No. 55 of the 11th July 1908, as subsequently amended by Notifications Nos. 68, 78 & 22 dated the 16th Nov. 1908, 22nd Dec. 1908 & 18th March 1909, respectively.

Notification published in Gazette 29/5/09.

P. 83

P. 91, 94 & 102

Bd. 14/5/09

I have, etc.,
T. R. Copeland
for Resident
26/5/09

R. P. B.—4-09.—1,000.

RESIDENT'S OFFICE.

Serial No. 160
File No. 270
194

[D R A F T .]—For approval.

From

T. B. COPELAND, Esq., I. C. S.,
1st Assistant to the Resident in Mysore.

To

H.D.

No 3939
D/9th Jan 1909.

By dear Mr. Jukes,

I am desired ~~by Mr.~~ to invite a reference to my H.D Letter No. 100 b dated the 17th Feb: 1909, regarding the scope of the term "Camp Followers" occurring in rule 6 (vi) (2) of the rules contained in Resident's Notification No. 55 dated the 11th July 1908 & 15th Aug ~~last~~ Mr. Fraser with the object ~~if a reply can be received~~ ~~was already dated~~

A.98

A.89

He can be expected when a reply may be expected

Yours
T. B. C.
20

J. Q. C. Jukes Esqr. I.C.S.,
Under Secy: to the Govt of India,
Financial Deptt.

Ent 9/Feb/09

Recd 3/2/09

To be placed in file 275 — 1894.

(original in file 43/09.)

THE HON'BLE THE RESIDENT IN MYSORE.

N O T I F I C A T I O N.

No. 47 Dated Bangalore, the 12th June 1909.

Under the provisions of section 66 of the Excise Act, 1896 (XII of 1896) as applied to the Civil and Military Station of Bangalore, the Resident is pleased to exempt, from the payment of duty, Rectified Spirit imported into the said Civil and Military Station for the Indian Institute of Science for purposes of Scientific Research.

By Order,

Sd/- T. Copeland,
First Assistant Resident.

To 4041

The Publisher, Gazette of India for publication in part II of the Gazette.

No

A copy of the foregoing Notification is forwarded to the Collector, Civil and Military Station of Bangalore, with a remark that this office letter No. 2276 dated the 17th April 1909 has been cancelled.

Sd/- T. Copeland.
First Assistant Resident.

RESIDENT'S OFFICE,
BANGALORE.
Register No. 3358
Date of Receipt 12-6-09
File No. 2-75-94

FINANCE DEPARTMENT

No.2886-Exc.

Simla, the 8th June 1909.

Dear Mr. Copeland

Re. 98 Your demi-official letter No.1006, dated the 17th February 1909.

The term "Camp followers" in paragraph 10 (2) Re 1 of 45 of 05 of the Resolution in this Department No.5086-Exc., dated the 15th August 1907, was intended to include all classes of followers (other than private servants) whether on or off duty who have a right to be in Cantonments. The Resident's Notification No.78, dated the 22nd December 1908, enclosed with Re.94 your letter, therefore, correctly expresses the wishes of the Government of India in this respect. To avoid difficulties of recognition, I am to suggest that you might find it desirable to substitute, for the first words of your rule

112

THE HON'BLE THE RESIDENT IN MYSORE.

Notification.

No. 49, dated Bangalore, the 3rd July, 1909.

The Resident is pleased to direct that the following amendment be made in the rules issued with his Notification No. 55, dated the 11th July 1908, as subsequently amended by the Notifications specified in the *margin, for the grant of licenses for the sale of spirits, fermented liquors and intoxicating drugs in the Civil and Military Station of Bangalore :—

*No. 68, dated the 16th November 1908, No. 78, dated the 22nd December 1908, No. 22, dated the 18th March 1909 and No. 40, dated the 24th May 1909.

Rule 6 (vi)—For the words "The licensee shall neither sell nor give," substitute the words "the licensee shall not knowingly give or sell."

"By Order,"

T. COPELAND,

First Assistant Resident.

Do the following from the [illegible]

[illegible]

[illegible]

R. P. B.—7-1909:—300.

R. P. B.—3-09.—1,000.

RESIDENT'S OFFICE.

Serial No. 114

File No. 275 / 94

[D R A F T .]—For approval.

From

T. B. COPELAND, Esq, I. C. S.,

1st Assistant to the Resident in Mysore.

To The Collector & Ex Officio Station Magistrate of Bangalore.

No 4495 dt 8th July 1909.

Sir,

With reference to your letter No. 370 dated the 1st February 1909, I am directed in the Orders of the Government to state that the term "Camp followers" in paragraph 10(2) of the Finance Department resolution No. 5086 Exc dated the 15th August 1907 as extended at includes all classes of followers (other than private servants), whether on or off duty, who have a right to the [illegible] and that the Resident's notification No. 7 dated the 22nd December 1908

A.97

A. Fil 4597/1905

A. 94. Fil 275/94

Exd 3/7/09

(Continuation of Draft).

1908, therefore, correctly expresses the wishes of the Govt of India in this respect.

I have, etc,

T Morton

First Asst Resident

A.S.
15/6/09

16/6/09

KW
2/7/09.

C - - - - - - - - - - - -.

115

No. 4496
Ser 20.

From

The Hon'ble Mr. S. M. FRASER, C. I. E.,
RESIDENT IN MYSORE.

To

The Secretary to the
Government of India,
Finance Department.

Dated Bangalore, 8th July 1909.

Sir,

In continuation of my letter No. 3203 dated the 28th May 1909, I have the honour to forward herewith 20 copies of the Residency Notification No. 49 dated the 3rd July --- 1909 regarding an amendment in the Excise Rules of the Civil and Military Station of Bangalore published with Notification No. 55 dated the 11th July 1908, as amended by subsequent notifications.

I have the honour to be,
Sir,
Your most obedient servant,

Sd/ S. M. Fraser.
Resident.

K.M.

116

THE HON'BLE THE RESIDENT IN MYSORE.

Notification.

No. 49, dated Bangalore, the 3rd July, 1909.

The Resident is pleased to direct that the following amendment be made in the rules issued with his Notification No. 55, dated the 11th July 1908, as subsequently amended by the Notifications specified in the *margin, for the grant of licenses for the sale of spirits, fermented liquors and intoxicating drugs in the Civil and Military Station of Bangalore :—

*No. 68, dated the 16th November 1908, No. 78, dated the 22nd December 1908, No. 22, dated the 18th March 1909 and No. 40, dated the 24th May 1909.

Rule 6 (vi)—For the words "The licensee shall neither sell nor give," substitute the words "the licensee shall not knowingly give or sell."

"By Order."

T. COPELAND,

First Assistant Resident.

No. 4559 9/3-7-09

To—The Publisher, Gazette of India, for publication in Part II of the Gazette.

A copy of the foregoing Notification is forwarded to the Collector, Civil and Military Station of Bangalore, for information, in continuation of this office endorsement No. 3202, dated the 28th May 1909.

R. P. B.—7-1909.—300.

First Assistant Resident.

original of 44/403 (N 14) 117

Letter No.5566 dated the 24th August 1909, from the -- First Assistant to the Hon'ble the Resident in Mysore, to the Collector, Civil and Military Station of Bangalore.

& & & & & &

& & & & &

2. I am, at the same time, to remark that Mr. Sherman's Note dated the 9th August 1909, a copy of which was forwarded with your letter under reply, leaves the Resident in considerable doubt as to whether the orders conveyed in this office --- letter No. 4495 dated the 8th July 1909 have been understood by the Excise Superintendent, and Mr. Fraser trusts that these --- orders (which embody the instructions of the Government of India) may be thoroughly explained to the Executive Excise authorities in the Civil and Military Station.

N 11 2 6 44/03

N 114

K.M.
27-8.09.

23/8/09

for Chief Secy
14

...TS OFFICE
9/X/09 ...NGALORE
Regist... No. 5802
Date of Receipt 2/10/09

Read from Govt Office (Fil 143/06) 2/11/09 1/10/09

Letter No.7073-212, dated the 22nd September 1909, from A. H. Ley, Esqr., I. C. S., Under Secretary to the Government of India, ~~Six~~ Department of Commerce and Industry, to the Director General of the Post Office of India.

I am directed to invite attention to Mr.Rainy's letter No.10313-332, dated the 10th December 1907, communicating the orders of Government in regard to the treatment of foreign postal articles found to contain cocaine and novocain forwarded by other Postal Administrations in open transit (a decouvert) through the Indian Post Office.

2. I am to say that the Government of India have decided, in modification of paragraph 4 of Mr.Rainy's letter, that transit articles of the foreign packet mail of the classes indicated in paragraph 2 of ~~xxxix~~ that letter, which may on examination be found to contain the prohibited drugs, should not be made over to the Excise authorities for confiscation as previously directed, but should be returned by the Post Office to the country of origin.

No.7074-7089-212.

A copy is forwarded to the Finance Department and to all Local Governments and Administrations in continuation of the endorsement from this Department No.10314-10329-332, dated the 10th December 1907.

By order, etc.,

Sd/- A. H. Ley,

Under Secy: to the Govt: of India.

Copy.

Manager,

Coorg Secretariat.

may be communicated to the collectors for information. Govt endorsement is not for approval.

9/11/09

No. 10313—332.

GOVERNMENT OF INDIA:

DEPARTMENT OF COMMERCE AND INDUSTRY.

POST OFFICE.

FROM

G. RAINY, ESQ., I.C.S.,
Under-Secretary to the Government of India,

To

THE DIRECTOR GENERAL OF THE POST OFFICE OF INDIA.

Calcutta, the 10th December 1907.

SIR,

WITH reference to the notifications in this Department cited in the margin, prohibiting the importation into British India of cocaine and novocain, I am directed to inform you that the Government of India have decided to prohibit the transmission of these drugs in foreign postal articles forwarded by other Postal Administrations in open transit (*à découvert*) through the Indian Post Office.

No. 9227—75 (Customs), dated the 29th November 1906.
No. 7079—91 (Customs), dated the 23rd August 1907.

2. In exercise of the powers conferred by section 25 of the Indian Post Office Act (VI of 1898), the Government of India empower you to search, or cause search to be made, for these drugs in the transit postal articles referred to in the preceding paragraph. This search should be confined to articles which are, under the Regulations of the Postal Union, open to examination by postal officials at any stage of their transit through the post, that is, to packets of samples, and to packets of printed papers and business papers.

3. Postal parcels which are *declared* to contain cocaine or novocain should, whether received for delivery in India or for transmission to foreign territory, be returned to the country of origin.

Instructions will be issued to the Customs and Excise authorities at the various ports that such parcels must not be confiscated.

4. Transit articles of the foreign packet mail of the classes indicated in paragraph 2, which may on examination be found to contain these prohibited

drugs should be dealt with in accordance with the orders contained in the Notifications in this Department, No. 9249 dated the 29th November 1906, and No. 7098—91, dated the 23rd August 1907

N 64

I have the honour to be,

SIR,

Your most obedient Servant,

G. RAINY,

Under-Secretary to the Government of India.

Nos. 10314—10329-332.

A COPY is forwarded to the Finance Department and to all Local Governments and Administrations. (It is requested that instructions may be issued to the Customs authorities in accordance with paragraph 3.)

( ) Maritime Governments only.

By order, etc.,

G. RAINY,

Under-Secretary to the Government of India.

G. I. C. P. O.—No. 1503 C. & I.—10-12-1906.—740.

R. P. B.—9-09—1,000.

RESIDENT'S OFFICE.

119

Serial No. 29
File No. 27
19

[D R A F T .]—For approval.

From

F. B. COPELAND, Esq., I. C. S.,

1st Assistant to the Resident in Mysore.

~~To~~

No 6763
D/14th October 1909.

D-1118

[There enter Govt. of India, Dept. of Commerce & Industry, Letter No. 7073-212 of the 22nd September 1909.]

A copy of the foregoing letter, together with a copy of the letter referred to therein, is forwarded herewith to the Collector of the Station of Bangalore, for information.

R. C. 15/10

First Asst. Resident

D-1118
Cir

A.C.
9/10/09

Cir 19/10/09

Read from Govt Office (Nil 15-8 97)

120

No.8963-117.

16/12 09

17.12

Government of India.

Department of Commerce and Industry,

Calcutta, the 9th December 1909.

N O T I F I C A T I O N.

(Customs)

In exercise of the power conferred by section 19 of the Sea Customs Act, 1878 (VIII of 1878), and in supersession of the Notification of the Government of India in this Department, No.7079-91, dated the 23rd August 1907, the Governor General in Council is pleased to prohibit the bringing by sea or by land into British India of novocain by means of the post; and to restrict its importation by any other means to cases in which it is imported by persons, or by their authorised agents who have been specially permitted to import the drug by a Local Government or Administration or by the Madras Board of Revenue.

(sd) W. Maxwell,

Offg, Secretary to the Government of India.

No.8964-8979-117.

A copy is forwarded to all Local Governments (except Madras) and Administrations, for information.

A copy is also forwarded to the Finance Department, the Director General of the Post Office of India, and the Director General of Commercial Intelligence, for information.

By order, etc.,

(sd) M. M. S. Gubbay

Under Secretary to the Government of India.

To

The Hon'ble the Resident at Mysore and Chief Commissioner of Coorg.

Copy.

Manager,

Coorg Secretariat.

R. P. B.—11-09.—1,000.

RESIDENT'S OFFICE.

Serial No. 94
File No. 25

[ ] [DRAFT.]—For approval.

From

T. B. COPELAND, Esq., I. C. S.,

1st Assistant to the Resident in Mysore.

~~To~~

W. 8053
D/ 22nd December 1909.

R. Z. Nothg. no 8963-117 dtd the 9th December 1909 from the Govt of India in the Dept of Commerce & Industry.

A copy of the foregoing Nothg is forwarded herewith to the Asst Dist. Magte. Cantonment of Bangalore, for information in continuation of this office letter no 5805, of the 12th September 1907.

565

18/12

18/12/09
Rec.
18/12

N.
21-12-09

2/1

R. P. B.—4-05—500.

No. 3399 Encl: 4. OFFICE OF THE COLLECTOR,
CIVIL AND MILITARY STATION, BANGALORE.
Dated 24th August 1909.

FROM

RESIDENT'S OFFICE,
BANGALORE
Register No. 4953
Date of Receipt 25/8/09
File No. 2954 To

F.J.Richards, ESQ., I. C. S.;
COLLECTOR,
CIVIL AND MILITARY STATION,
BANGALORE.

T.B.Copeland, Esquire, I.C.S.,
THE FIRST ASSISTANT TO THE HONOURABLE THE RESIDENT
IN MYSORE.

SIR,

I have the honor to invite a reference to the bottling license prescribed in the Resident's Notification No.55 -- dated 11th July 1908 enabling foreign liquor licensees to - bottle foreign liquor imported in bulk on payment of a license fee of Rs.50/-.

2. The Superintendent of Excise has now proposed the following amendments to the bottling license form.

(a) Adding water for reducing spirit to standard strengths.

(b) Fixing the hours of bottling between 7 A.M. and 5 P.M. - Sundays and holidays excepted - and charging overtime fees for attendance of Excise officers when bottling is done out of the prescribed hours on the scale mentioned in Government of India order No.3207-Exc.. dated 6th June 1903.

3. In forwarding a copy of a letter from Mr. Sherman on - the subject, I am of opinion that amendment (a) referred to above is necessary. As regards amendment (b) the Bangalore Brewery Company strongly protest against having to bottle during fixed hours and against paying overtime fees on other occasions - vide copy of their letter and Mr. Sherman's remarks thereon.

4. As the attendance of an Excise officer is however required during bottling according to condition 4 of the bottling license form No.13, I think over time fees should be paid to the officers concerned as they will be called on to attend the Brewery at unusual hours - vide copy of a notice received recently.

5. The point to be decided now is whether overtime fees should be borne by Government or levied from the licensees. From a perusal of the Government of India order quoted in para 2 supra, it will be observed that the order refers to the Customs Department and not to the Brewery, and I do not think that Customs and Brewery are on one and the same footing to adopt the general principles enunciated in the Government of India order. As the matter is not free from doubt, I have referred the case for the orders of the Honourable the Resident and for favour of such action as he may deem necessary.

+ Other Departments too - Vide Govt of India letter.

6. The views of Mr. Bennett, Abkari Deputy Commissioner, Madras, on the subject have been asked for and will be communicated on receipt. He may, if necessary, be asked to expedite his report from the Residency to save delay.

I have the honor to be,

Sir,

Your most obedient servant,

Collector.

REVENUE DEPARTMENT.

1903.

Board of Revenue

(Separate Revenue),

MADRAS.

Printed September 11th.

Proceedings, No. 195/1889-R., Mis., 24th August 1903.

AUGUST.

Communicating to the Collector of Sea Customs, Madras, all Deputy Commissioners and Assistant Commissioners of Maritime sub-divisions, with instructions, Government Order communicating the orders of the Government of India regarding the working hours of the different classes of Customs establishments and the levy of fees from merchants and ship-owners for overtime service rendered by them.

PROCEEDINGS OF THE BOARD OF REVENUE
(SEPARATE REVENUE).

The Hon'ble Mr. H. BRADLEY,
Acting First Member, Board of Revenue, and Commissioner of Salt, Abkári and Separate Revenue.

READ—the following G.O., No. 651, Revenue, dated 30th June 1903 :—

Read—the following letter from H. J. McINTOSH, Esq., I.C.S., Deputy Secretary to the Government of India, Finance and Commerce Department, to the Secretary to the Government of Madras, Revenue Department, dated Simla, the 6th June 1903, No. 3207-Ex. :—

With reference to the correspondence ending with your letter No. 172, dated the 19th February 1902, I am directed to forward a copy of the correspondence with His Majesty's Secretary of State for India, noted in the margin, regarding the levy of fees from merchants and ship-owners for overtime work of officers of the customs and other departments, and to request that early steps may now be taken to give effect to the proposals which have been approved by the Secretary of State.

Despatch to His Majesty's Secretary of State for India, No. 384, dated 25th December 1902.

Despatch from His Majesty's Secretary of State for India, No. 45, Revenue, dated 3rd April 1903.

2. The general principles on which it has been decided to regulate in future the working hours at custom houses and in connected departments are stated in paragraph 4 of the despatch of the Government of India and are summarised in paragraph 5 of the Secretary of State's despatch. These should be brought into force as soon as possible subject to such minor modifications as the Government of Madras may find it necessary to introduce to suit local conditions. Should any material modification be proposed to meet the special circumstances of a particular port, the matter should be reported for the orders of the Government of India.

3. It is now necessary that all existing scales of overtime fees shall be revised in accordance with the principles which have been approved by the Secretary of State. The rates should be kept as low as is consistent with the object for which they are levied, and I am to request that this important consideration may be carefully borne in mind. In fixing the revised scale of fees the main consideration should be their adequacy to remunerate fairly, but not excessively, the labour for which they are levied, and no addition should be made to what is necessary for this purpose in order to check demands on the part of ship-owners for overtime work. The Government of India await the submission, for their approval, of a full statement of the existing scales of fees of all classes obtaining at the various ports and of the scales which it is proposed to substitute for them.

4. In consequence of the application of the orders contained in the Resolution of this department, No. 167, dated the 12th January 1899, certain allowances and increases of pay have been granted to customs and other officials. I am to request that all such cases may now be reviewed and that the emoluments of the officers concerned may be re-adjusted in accordance with the orders in paragraph 6 of the Secretary of State's Despatch. Cases which under rule require the sanction of the Government of India should be reported for such sanction. In cases which do not otherwise require the sanction of the Government of India, the Government of Madras are authorised to give retrospective effect to the extent indicated by the Secretary of

State. It will, of course, be understood that in no case will it be permissible to grant full fees in addition to an increase of pay or a personal allowance which has been sanctioned as compensation for the loss of fees.

5. With reference to paragraph 4 of your letter of 19th February 1902, I am to invite special attention to conditions 3 and 5 in paragraph 4 of the Despatch to the Secretary of State forbidding the grant of overtime fees to the clerical, accounts and supervising staff.

Copy with a copy of the correspondence with His Majesty's Secretary of State for India forwarded to the Accountant-General, Madras.

ENCLOSURES.

DESPATCH from the Right Honourable the Governor-General of India in Council, to the Right Honourable His Majesty's Secretary of State for India, dated Calcutta, 25th December 1902, No. 384.

We have had under our consideration your Lordship's Despatch No. 38 (Revenue), dated the 22nd March 1901, relating to the levy of fees from the public for overtime work done by officers of the Customs and other departments connected therewith.

2. Your Lordship informs us that, in the British Custom-House, the landing, shipping and warehousing staff are paid for overtime work by the shipowner or merchant, no portion of such payments being received by Government; that the continuous service of a water guard to protect the revenue is given both on working days and on Sundays and holidays without any charge to the public; and that no charge whatever is made under ordinary circumstances for purely water guard work, any overtime earned by officers being granted in entirety to the officers without the reservation of any portion to the Crown. Your Lordship further observes that overtime work is much more exceptional in England than it has now become in India, and while you recognize that an increase of the staff sufficient to supply a continuous service for the work at Calcutta would probably entail heavy expenditure, you explain, on the other hand, that strong objections exist to the charge imposed on merchants and ship-owners by the exaction of fees for overtime work (as distinguished from Sunday and holiday work) of Government officers. Your Lordship therefore suggests that we should reconsider the hours of duty of Customs and preventive establishments in India, and that, if the difficulty cannot be met in this way and if we are unwilling to increase the establishment, the present system of granting overtime fees should be maintained, but on the condition that such fees should be a charge on the public revenues unless they are earned by work on Sundays and holidays. With regard to the question of the retention of a portion of the fees by Government, your Lordship considers that it will be best to follow the British practice in this matter and thus to revert to that which prevailed in India before the issue of our Resolution No. 167-Ex., dated the 12th January 1899; that the scale of fees should be everywhere as low as possible; that they should in no case be increased; and that the merchants and ship-owners should receive the full benefit of the remission of the portion of the fees taken by Government.

3. We have carefully considered these questions in communication with the maritime Local Governments concerned, and we enclose a copy of the correspondence on the subject. We are strongly of opinion that it would not be possible or expedient entirely to relieve merchants and ship-owners of the charges imposed on them by the levy of fees for overtime work of Government officers, and in this view the Local Governments consulted unanimously concur. The system of levying these fees has existed in India for many years, it has been acquiesced in by the mercantile community, and it has worked well and without friction. The system does not differ materially from that which obtains at the British Custom-House, and, so far as we are aware, it is recognized all over the world. In Calcutta, for instance, Government has provided a continuous guard service at all hours of the day and night free of charge as in the case of the water guard service in England, and the overtime fees charged for other services do not differ in principle from the corresponding fees levied in England for the landing, shipping and warehousing of goods. In our opinion there are no sufficient reasons in India for going beyond what the State has done in England to relieve ship-owners and merchants of the charge for the overtime services of the Customs staff, and it would not be fair to call on the general tax-payer to meet the cost of exempting merchants from a charge which they willingly pay in order to get their work done expeditiously. Special service is rendered at the merchant's request for his own benefit, and it is not regarded as a hardship that he should have to pay for it. The main consideration which has been held to justify the practice is that Government provides establishments which are only sufficient to perform the duties assigned to them during the usual business hours of the day, and that merchants and the public should transact their business with Customs and connected offices as much as possible during those hours. The necessity of overtime work by Customs and other officers

must undoubtedly be recognized, but, in the interests of the establishments, such demands on their time and services should be restricted to the extent absolutely necessary. If merchants and ship-owners were free to make these demands without the payment of any fee, it may not unreasonably be assumed that officers of Government would have to be on practically continuous duty, night and day. The cost of such an arrangement would be prohibitive, the additional expenditure in Calcutta alone being estimated at no less than 2 lakhs of rupees a year. It is extremely doubtful whether the benefits accruing to commerce would be at all commensurate with the expense which would fall on the State, and we are satisfied that a mere redistribution of the hours of duty would not bring the work to be performed within the compass of the existing establishment and thus obviate the necessity for levying overtime fees altogether. 1 We are forced, on a consideration of all the circumstances, to the conclusion that the system of levying overtime fees should be maintained, and that such fees should be paid by the mercantile public. 2 At the same time we accept your Lordship's view that the fees levied should be paid in full to the officers by whose labour they are earned, and that no part of them should be credited to Government. 3 They should also be kept as low as possible, provided they are not reduced below the point at which they operate as a check against unreasonable demands upon the services of our officers.

4. It is, however, evident that the arrangements are not everywhere satisfactory, especially in Calcutta, where the Government of Bengal advocates an extension of the free time. The office hours of the Custom-House establishments (as distinguished from those of the preventive service) are frequently very short and vary unnecessarily in the different ports. We would, therefore, propose the following general principles for adoption in the working of the various Custom-Houses, giving, however, authority to the Local Governments in each case to make such minor modifications as may be necessary to suit local conditions :—

(1) That for the preventive service, wharf, and salt departments, and for outdoor establishments generally, the free time should be taken as from sunrise to sunset, *i.e.*, that no overtime fees should be charged for any work done by the establishments named during these hours. This corresponds with the present practice in Calcutta, Bombay and Karachi.

(2) That no individual officer of the above classes should be required to work ordinarily more than an average of 9 hours a day or 54 hours a week during the free time, in addition to such time spent on simple guard duty as may be reasonable in each case.

(3) That for all other classes of customs establishments, *i.e.*, appraisers, examiners, clerks, the account staff, the bonding staff and the supervising staff, the ordinary business hours should be from 9 A.M. to 6 P.M.

(4) That overtime fees should be charged for work done by the officers mentioned in (1) and paid in full to the officers concerned.

(5) That in respect of the officers enumerated in (3) no overtime fees should be charged for or paid to any of the clerical, accounts or supervising staff, but that when an officer of the appraising, examining or bonding staff is deputed away from the Custom House (or other place in which he works) out of the ordinary office hours, *i.e.*, before 9 A.M., or after 6 P.M., or on Sundays or holidays, overtime fees should be charged and paid to the officers concerned.

(6) That a moderate increase of staff should be permitted to the classes enumerated in (1), where the Local Government thinks it necessary in order that no individual officer may be required to work more than 9 hours a day on the average during the free time.

5. We now come to the question of the scale on which overtime fees should be levied in future. As already stated, we agree that the scale of fees should be as low as possible, provided that they are not reduced below the point at which they operate as a check against unreasonable demands upon the services of our officers. In Resolution No. 167, dated the 12th January 1899, it was ordered that one-fourth of the fees levied should be credited to Government and only three-fourths paid to the officers who earned them. In Calcutta, this arrangement was carried out and the result was a substantial reduction of emoluments which was only partially compensated by the grant of personal allowances. In Bombay, on the other hand, the Local Government appears to have raised the fees charged, so that the three-fourths share of the new scale gave as much to the officers as they had received before. The reduction made in 1899 has caused extreme discontent in Calcutta. The full fees had been drawn for many years and were regarded by the men as an integral part of their emoluments, and their reduction was felt in precisely the same way as a reduction of salary. It is obviously dangerous to work a Customs' Tariff with a discontented staff. Moreover, unless we leave the fees at the former level, we are confronted with the anomaly, pointed out in paragraph 12 of the letter from the Board of Revenue, Bengal, No. 592 B., dated 14th May 1902, that "merchants would pay fees on the old scale when extra officers (*i.e.*, men remunerated wholly by fees) would have to be employed, but only 75 per cent. of such fees for the absolutely similar services of permanent officers, and it would ordinarily be impracticable beforehand to let them know whether a permanent officer would be available or not". We do not therefore propose to reduce the scale in Calcutta by remitting the Government share in favour of the mercantile public, and we consider that the fees should be paid in full to the officers as before the orders of 1899. We have decided, however, that fees levied in Bombay should be reduced to the scale which obtained prior to the issue of those orders.

6. The foregoing are our views on the general question, and we propose to give effect to them unless your Lordship sees any objection. Until the general principles are settled, we are not in a position to reconsider the cases in which allowances and increases of pay have been granted in consequence of the application of our Resolution of the 12th January 1899. We propose to review these cases in consultation with the Local Governments concerned on receipt of your Lordship's reply. We shall similarly deal with other cases disposed of by ourselves with reference to the Resolution of 1899. We propose, if necessary, to give effect to such orders as it may be decided to pass from the 1st April 1901, which is approximately the date of receipt by us of your Lordship's Despatch of 22nd March 1901.

7. In paragraph 8 of the Despatch under acknowledgment your Lordship sanctions the grant of a local allowance of Rs. 150 a month to the Assistant Shipping Master, Calcutta. As stated in the correspondence enclosed, the Government of Bengal still holds to the opinion that the work of the Shipping Master's department which is done out of office hours should be remunerated by fees, and not by fixed allowances. In the circumstances, we recommend that the Local Government's proposal to substitute fees for the fixed allowances be sanctioned. In the same paragraph, Mr. Westbrook, Assistant Shipping Master, Bombay, is permitted to retain the fees drawn by him. He has since retired, and we propose that his successors should draw full fees under the general principles which we now recommend.

Schedule of Papers.

1. Letter to the Governments of Bengal, Madras, Bombay and Burma, No. 3410-Ex., dated the 24th June 1901.

2. Letter from the Government of Bengal, No. 1560 (Marine), dated the 22nd August 1901, with enclosure.

3. Letter to the Government of Bengal, No. 5329, dated the 16th October 1901.

4. Letter from the Government of Burma, No. 349—1 C.—9, dated the 14th December 1901, with enclosure.

5. Letter from the Government of Bombay, No. 448, dated the 22nd January 1902, with enclosures.

6. Letter from the Government of Madras, No. 172, dated the 19th February 1902, with enclosures.

7. Letter from the Government of Bengal, No. 615-T. F., dated the 5th June 1902, with enclosure.

8. Letter from the Government of Bengal, No. 89 T.—Marine, dated the 19th June 1902.

9. Resolution from the Government of Madras, No. 670, dated the 31st July 1902.

From LORD GEORGE HAMILTON, Secretary of State for India, to the Government of India, dated 3rd April 1903, No. 45 (Revenue).

Overtime fees of Customs and other departments.

I have considered in Council the letter of your Excellency's Government, No. 384 (Finance and Commerce), dated 25th December 1902, on the subject of the levy of fees from merchants and ship-owners for overtime work of officers of the Customs and other departments.

2. Your Excellency has considered the general question whether the system of levying overtime fees should be maintained, and you have arrived at the following conclusions, viz. :—

(1) that no revision of the hours of duty, even with such increase of establishments as could be effected without prohibitive charges on the public revenues, would suffice to provide the required services without resort to overtime work;

(2) that it is not possible or expedient to relieve merchants and ship-owners entirely of the charges imposed on them by the levy of fees for overtime work given at their desire and for their convenience;

(3) that these fees shall be kept as low as possible, provided that they are not reduced below the point at which they would cease to operate as a check against unreasonable demands upon the services of your officers;

(4) that they shall be paid in full to the officers by whose labour they are earned, no portion being credited to Government.

In the fifth paragraph of your letter you mention the scale on which you desire to levy fees in the future in Bengal and Bombay. I assume that the scale of fees to be levied in other ports will be carefully revised.

3. I am willing to accept your recommendation that overtime fees for certain services shall be maintained and shall continue to be paid by merchants and ship-owners, and I notice with pleasure that you are of opinion that the rate should be low. In fixing the scale of fees the main consideration shall be their adequacy to remunerate fairly, but not excessively, the labour for which they are levied. No addition to what is necessary for this purpose appears to be required in order to check demands on the part of ship-owners for overtime work, since, in consequence of the additional cost of night labour and other charges, the ship-owner has an interest in keeping his demand for overtime work within reasonable limits. Moreover, it should not be forgotten that it is of considerable importance for the trade of India and to your Government that the conditions obtaining in Indian ports in respect of fees and customs regulations should be as little onerous to the trade as possible.

4. I request that, when your Excellency has decided what fees are to be charged in the various ports of India, you will furnish me with a memorandum showing the scales that have been adopted.

5. With regard to the working hours to be fixed for the various departments you propose to make the following regulations, which would, however, be subject to such modifications as may be necessary to suit local conditions :—

Preventive Service, Wharf and Salt Departments, and Out-door Establishments generally.—Working hours to be from sunrise to sunset, but no individual officer to work ordinarily more than 54 hours a week within these hours, in addition to such time spent on simple guard duty as may be reasonable in each case; fees to be paid for work done between sunset and sunrise; a moderate increase of staff to be permitted where it is necessary, in the opinion of the Local Government, in order that the limit of ordinary working hours to 54 hours a week may be brought into effect.

Other classes of Customs officers.—Ordinary working hours to be from 9 A.M. to 6 P.M.; no overtime fees to be charged for, or paid to, the clerical, accounts, or supervising staff; over-time fees to be paid to officers of the appraising, examining, or bonding staff if deputed out of ordinary working hours, or on Sundays, or holidays, away from the place where they ordinarily work.

I observe that you do not mention in these proposals that at Calcutta a guard service will continue, as at present, to be provided free of charge at all hours of the day and night. I understand, however, that that is intended.

6. In paragraph 6 you propose to give effect, if necessary, from 1st April 1901, to such orders as you may pass regarding cases in which allowances and increases of pay have been granted in consequence of the application of the Resolution of 12th January 1899. In the exceptional circumstances occasioned by the varying degree of stringency with which that Resolution has been applied to reduce emoluments in the different provinces, I recognise that some action of a retrospective nature is expedient, and I agree to your proposal. Should you find that observance of the proposed date is unduly restrictive of relief, I authorise you without further reference to me to give retrospective effect to your order, either generally or in individual cases, from the date on which the Resolution was applied.

7. I sanction the proposals made in paragraph 7 regarding the remuneration by fees of certain officers of the Shipping departments, for whom certain fixed allowances were previously approved.

Order—No. 651, Revenue, dated 30th June 1903.

Separate Revenue No. 115.

Communicated to the Board of Revenue for favour of immediate steps being taken to give effect to the orders of the Government of India. The working hours which it may consider necessary to fix with reference to the circumstances of each port for the different classes of Customs Establishments should be reported and proposals submitted for a moderate increase of staff if in its opinion the establishment sanctioned for any particular port is too small to cope with the work without requiring individual officers to work more than an average of nine hours a day. It is also requested to submit for approval a statement

" To be substituted for pages 7, 8 and 9 of th Board's Proceedings of the same number and date."

showing the existing scale of fees of all classes obtaining at the various ports (including the personal allowances, if any, drawn with reference to G.O., No. 24, dated 16th January 1900) and of the scales which it recommends for adoption in future and, in doing so, to note that no overtime fees are hereafter to be charged for or paid to any of the clerical, accounts or supervising staff.

2. It is presumed that there are no cases of allowances or increases of pay granted to Customs or other officials as compensation for the loss of overtime allowances sustained by them in consequence of the application of the orders contained in the Government of India Resolution of 12th January 1899. But the Collector of Sea Customs, Madras, should be authorized to pay to the officers drawing above Rs. 30 and below Rs. 75 the difference of allowances which they were deprived of with reference to paragraph 9 of the Board's orders approved of in G.O., No. 135, dated 4th February 1902, and to the Customs Establishment in general the sum of Rs. 868–2–10 which was withheld in paragraph 2 of Board's Proceedings, Mis. No. 1449, dated 7th June 1901.

3. Orders as regards the Port Department will issue in the Marine Department.

(True Extract.)

(Signed) M. HAMMICK,
Ag. Secretary to Government.

To the Board of Revenue (Separate Revenue).
„ the Marine Department.

RESOLUTION—No. 195/1889-R., Mis., dated 24th August 1903.

With its order read above, Government communicates the latest decision of the Government of India on the subject of working hours in custom-houses and the levy of fees for overtime service rendered by Customs officers. The chief modifications in the existing system that have been ordered by the Government of India are as follow :—

(1) The free time for out-door establishments shall be from sunrise to sunset, *i.e.*, that no overtime fees are chargeable for work done by such establishments during these hours, the staff being increased where necessary so that no individual officer may be required to work on an average more than nine hours a day or 54 hours a week during the free time.

(2) The ordinary working hours for other than out-door establishments, *i.e.*, appraisers, examiners, clerks, the account staff, the bonding staff and the supervising staff, shall be from 9 A.M. to 6 P.M., and no officer of the clerical, accounts or supervising staff shall be entitled to overtime fees. Appraisers, examiners, and the bonding staff shall recover overtime fees only when they are deputed out of ordinary working hours or on Sundays or holidays away from the place where they ordinarily work.

(3) Overtime fees levied under the above rules, at rates fixed as low as possible, shall be paid *in full* to the officers concerned.

2. The local officers will be requested to give effect to the above orders from the date of receipt of these Proceedings. In Madras the present free hours for the out-door establishment are from 6 A.M. to 6 P.M. and at Calicut and Mangalore from 7 A.M. to 6 P.M. for which latter ports an additional establishment of eight peons each has recently been sanctioned. The Board believes that no increase in the out-door establishments, with reference to the new orders, will be necessary at these three ports, or at Cocanada where the Assistant Commissioner has already reported that continuous free work from morning to evening could be arranged by a redistribution of work among the existing Customs establishment—*vide* paragraph 1 of the Northern Division Deputy Commissioner's letter No. 4622, dated 14th October 1900. The question of adding to the establishments at the remaining ports will be considered

after experience has been gained of the effect of the new rules. The Deputy Commissioners will be requested to carefully watch the working of the new rules and submit after they have been working for two months full reports as to the additional establishments that may be necessary.

3. In directing that the ordinary business hours for other than out-door establishments shall be fixed from 9 A.M. to 6 P.M., the Government of India empowers the Local Government to make such minor modifications as may be necessary to suit local conditions. The existing office hours for the in-door staff at Cochin and the other ports noted in the margin have recently been fixed from 7 to 11 A.M. and 2 to 6 P.M.—*vide* Board's Proceedings, Mis. No. 1517, dated 22nd June 1902. There seems no reason to change the hours now in force, and if additional work out of hours is required the establishment will have to give it to the extent of six hours a week. The office hours at the remaining ports shall run from 9 A.M. to 6 P.M.

Tellicherry.	Kumbla.
Tanur.	Manjeshwar.
Beypore.	Mulki.
Quilandi.	Malpe.
Badagara.	Baindur.
Kasaragod.	Adirámpatnam.

4. The special attention of all officers is drawn to the ruling of the Government of India that members of the clerical, accounts or supervising staff cannot claim overtime fees except in the mofussil when they are deputed away from the custom-house out of working hours on examining, bonding or appraising work. As regards Superintendents and Assistant Superintendents in the mofussil, they will be classed with the supervising staff and, under the strict wording of the orders received, they will not be entitled to overtime fees even for night work. The orders of Government are requested as to whether this is intended. Another point on which orders are solicited is whether clerks required to attend to purely clerical work such as the passing of shipping bills between 6 and 9 A.M. can claim fees for such attendance. The Government of India has not provided for the levy of fees in such cases nor has it sanctioned the entertainment of additional clerical staff (as in the case of out-door establishments) in view to obviate the necessity of requiring individual officers to work more than 54 hours a week.

5. With reference to the last sentence of paragraph 1 of the Government Order, the Board begs to report that the general rule at present is that overtime fees for work given by Customs officers are levied from parties at the rate of one-fourth of a day's pay for each hour of overtime work. The whole of the amount thus drawn is paid to officers, other than Customs Superintendents, drawing salaries not exceeding Rs. 75; and Customs Superintendents and other officers in receipt of pay exceeding that amount receive only half the amount drawn on their account, the other half being credited to Government. In future, the fees realized will be paid in full to the officers working overtime, and the scale of fees may be fixed as follows:—

(1) For the service of Customs Superintendents and officers drawing more than Rs. 75, when entitled to overtime fees, at the rate of one-eighth of a day's pay for each hour of overtime work.

(2) For the service of other officers, when entitled to such fees, at the rate of one-fourth of a day's pay for each hour of overtime work.

The detailed statement called for by Government will be furnished on receipt of orders on the questions raised in paragraph 4 *supra* and of detailed information called for from Assistant Commissioners as to the "fees of all classes" obtaining at the various ports.

6. The presumption in the opening sentence of paragraph 2 of the Government Order is correct. The amounts withheld from the officers in the Madras Custom-house in consequence of the orders contained in the Government of India Resolution, No. 167-Ex., dated 12th January 1899, during the years 1900–1901, 1901–1902 and 1902–1903 were Rs. 861–2–10, Rs. 890–14–2 and Rs. 899–7–8, respectively. The Collector is requested to pay these amounts and any further sum that may have been withheld from the officers during the current year under paragraph 9 of Board's Proceedings, Mis. No. 3274, dated 17th December 1901.

7. In this connection, the Board begs to bring to the notice of Government that Customs officers in the mofussil have also been deprived of a portion of the fees due to them with reference to the three-fourth limit prescribed in the Government of India Resolution referred to above. The amount thus withheld during 1900–1901 was Rs. 117–7–8. Similar information for the years 1901–1902 and 1902–1903 is not available as Assistant Commissioners have been exercising the power of sanctioning the payment of overtime fees since October 1901. The Board requests that sanction may be accorded to the payments of the amounts thus withheld from the mofussil Customs officers also.

(True Extract.)

(Signed) R. E. HOLLAND,
Acting Secretary.

(True Copy.)

(Signed) R. G. A. THOMSON,
Acting Assistant Secretary.

To the Secretary to Government, Revenue Department.
„ the Collector of Sea Customs, Madras.
„ Deputy Commissioners.
„ Assistant Commissioners of all Maritime sub-divisions.
Copy to Inspectors of Maritime circles.
„ Accountant-General.

112
F.

Letter No.498 dated the 8/10th May 1909 from the Excise Superintendent of the Station to the Collector of the Civil and Military Station, Bangalore.

I have the honor to report for your information that the Bangalore Brewery Company, as holders of Foreign liquor license No.1 and Bottling license No.1 at Langford Road, gave notice -- under condition 4 of the latter of their intention to bottle at 2 A.M. on the 8th and this day have signified their intention - to bottle tomorrow (Sunday). As the attendance of an Excise - officer is required out of working hours in the one case, and on a close holiday on the other, I have in both instances, asked the Company if it is willing to pay overtime fees.

2. I am of opinion that holders of bottling licenses should be required to do their bottling during working hours alone, and if you agree with me form No.13 may be recommended for amendment as in the margin.

3. I consider that, in circumstances such as those stated -- above , overtime fees should be leviable from the person requiring the attendance of an officer on the scale sanctioned in Government of India order No.3207 - Ex. dated 6th June 1903 (a copy of which is not with me but may be obtained from the Board of Revenue, Madras), and be payable to the officer who sacrifices his leisure to the service of the person requiring his attendanc.

4. I take this opportunity of suggesting an amendment to condition 2 of form 13. As the condition stands it is permissible to the bottler of beer to add water to it, and thereby to increase the gallonage. Dilution of bottled beer is one of the points on which Major Bedford, I.M.S., touches at paragraph 38 of his report to the Government of India dated 20th June 1908. I -- accordingly suggest the marginal amendment for your approval.

Insert "between the hours of 7 A.M. and 5 P.M. Sundays & Gazetted Holidays excepted" between "hours" and "and" subjoined to form 190.

* In condition 2 omit the words "other than water" and after "bottling", add "provided that water may be added for preserving spirit & aforesaid" thereafter.

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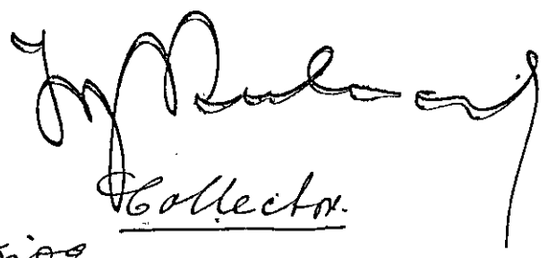

Collector.

1909.

12~/e

Letter dated 17th June 1909 from the Bangalore Brewery Co., to the Collector of the Civil and Military Station, Bangalore.

In reply to your letter dated 10th June 1909, No.2313, we have the honor to give below our reasons for objecting to pay - overtime.

1. The beer during its preparation for bottling has to undergo a forced fermentation, in bottling this is called conditioning. The change which takes place during conditioning cannot be entirely controlled as it depends upon the weather and many other influences; the time taken for this varying as much as two or and often three days. Again the ice machinery which is used for chilling the beer does not always work with the same degree of efficiency or regularity, so that the days for bottling to commence cannot be known until the beer is actually in a fit state for bottling. One of our bottlings occupies three to four consecutive days, it is therefore quite impossible alwaysto avoid working on Sundays or on the numerous holidays during the week days or at times - during the night.

Excise Superintendent's remarks thereon, No.641 d/ 21.6.09.

The Bangalore Brewery qua bottlers know from experience how many days their beers ordinarily require to condition after -- being primed. Mr. Ivatt, in his letter under consideration, says the time varies between two and three days. For the purposes - of this note I take his out-side limit. Similarly, the Brewery Engineer knows from experience how long it will take to lower - the temperature of the room to the required margin above freezing point, and can accelerate the cooling or go slow according as the beer exhibits active or sluggish fermentation, which on Mr. Ivatt's authority, may vary a single day. Mr. Ivatt has not - mentioned how long after it is in condition the beer takes to chill.

chill. He may be asked to supply this missing link in the - chain of operations.

2. Ordinarily 24 hogshead are bottled off in an operation, - extending over three consecutive days. Mr. Ivatt says 3 to 4 days so I adopt the latter figure. We have thus 3 days for -- conditioning, 4 days for bottling and assuming for 2 days for chilling, we arrive at 9 days altogether.

3. A reference to a calendar will show on what dates close holidays, of which there are not many fall, and all that is -- necessary is for the company to arrange the bottling so as to avoid the holiday. This does not strike me as ~~difficient~~ difficult or inconvenient. In the case of night work - supposing night work to be absolutely necessary - I presume the Brewery pay their staff and workmen overtime or make it up to them in some other way, so why should the Excise officer be expected to render -- free service out of his working hours?

"Copy"

Collector.

122
d

The Bangalore Brewery Company,

B a n g a l o r e.

Bangalore, 19th August 1909.

The Superintendent of Excise,

Bangalore.

Sir,

We have the honor to inform you that owing to our ice machine breaking down last night we were not able to commence the bottling at Langford license as notified to you on the 17th instant.

The beer will be ready for bottling tomorrow and we will commence the same at 5 A.M. and at 2 A.M. on Saturday, the 21st instant.

We have etc.,

Sd/. H. Ivatt,

For B. B. Company.

&&&&&&&&&&&&&&&&&&&&

"Copy"

Collector.

12.

P. B.—9-09—1,000.

RESIDENT'S OFFICE. 122

Serial No.
File No. 275
1894

[D R A F T .]—For approval.

From

T. B. COPELAND, Esq., I. C. S.,

1st Assistant to the Resident in Mysore.

To

No.
To
F. J. Richards Esq.

No. 6590
dt 7th October 1909

Sec 120.

With reference to your
letter no 3399 dt the 24th August
1909 regarding amendments
to the Boiling license form,
I am desired to enquire whether
~~the views of Mr. Bennett have since~~
~~been received~~, and, if not
to ask you to send a reminder
to him through the Residency.

You have not as yet been received from Mr Bennett as

Yours sincerely
T. B. Copeland

To
F. J. Richards Esq. I.C.S.
Collector & Dist Mgr
Bangalore

12.45
6.10.09.

No. 4248.

Office of the Collector & District Magistrate, C. & M. Station, Bangalore,

Dated 9th October 1909.

124

Dear Mr. Bennett,

Will you please refer to my D. O. letter No. 3400 of 24th August last and your reply thereon, promising to be in --- Bangalore and let me have your views on the subject of certain amendments proposed to the bottling license form which accompanies the Resident's Notification No. 55, dated 11th July 1908 at an --- early date, for submission to the Residency, who has since --- issued a reminder.

As regards the question raised in your D. O. of the 25th August 1909, I refer you to paragraph 9 (3) of Government of India Resolution No. 2995-Exc., dated 16th May 1907. The Assistant Superintendent is detailed to supervise bottling --- when it occurs.

Yours sincerely,

(Sd.) F. J. R i c h a r d s,

To

E. Bennett, Esquire,

Akbary Deputy Commissioner,

M a d r a s.

(Through the First Assistant Resident in Mysore)
B a n g a l o r e.

No. 6788.

Mysore Residency,

Bangalore, dated the 15th October 1909.

Forwarded. The Resident will be glad if the matter can be expedited.

by T. Lopelamma

First Assistant Resident.

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07 15-11-09

Dear Mr. Bennett,

Will you please refer to my Demi-official correspondence ending with No.4248, dated the 9th October last, re certain amendments proposed to be made in the bottling license form and favour me with your views on the subject at an early date.

Your reply on my official letter No. 3172, dated 7th August 1909, regarding the adequacy of the staff required for the control and administration of the Excise in the Station as well as the duties of inspection and prevention is also awaited

Yours sincerely
(Sd.) F. J. Richards.

To

E. Bennett, Esquire,
Abkari Deputy Commissioner, Madras.

(Through the First Assistant Resident.)

Through the Secy. to the Commr. of Salt, Abkari and Separate Revenue Department, Madras.

No. 7475. Mysore Resident's Office,
Bangalore, dated the 22nd November 1909.

Forwarded. The Resident will be glad to be informed of the circumstances necessitating delay in the disposal of the Collector's references in question.

(Sd) F. Copeland
First Asst. Resident.

K.M.